

STATE OF SOUTH CAROLINA

In the Court of Appeals

RECEIVED

Patrick Lee Booker, Appellant,

APR 08 2024

Vs.

SC Court of Appeals

Local Finance of Greenwood, Respondent.

Appellate Case No. 2023-001989

MOTION FOR PERMISSION

TO ORDER

TRANSCRIPT OUT OF TIME

Pursuant to this Court's Order filed March 28, 2024, the *pro se* Appellant hereby requests the Court's "permission to order the transcript outside of the filing deadlines" and provides the Court a copy of Appellant's "letter addressed to the court reporter." (see attached letter addressed to court reporter dated April 2, 2024).

The Appellant, a *pro se* litigant, has been actively involved with prosecuting this appeal. the *pro se* litigant have spoken with the assigned case analyst multiple times regarding guidance on curing the noted deficiencies and how those deficiencies, until cured, postponed the running of any other deadlines set out in the rules of appellate court procedure. Notably, the Clerk of this Court did not include as a deficiency, in her dismissal order, non-compliance with the requirements set for ordering the transcript.

The pro se Appellant understood, *buttressed by the Court's clerk staff understanding and advisement of the same*¹, that the other deadlines for perfecting an appeal became automatically postponed until the noted deficiencies were cured.

The pro se Appellant believes he is entitled to have his appeal heard on the merit which is what the spirit of the law calls for.

The Appellant feels hostility from the Court **in its threat to dismiss this case**, without such a request being made by any party and without any prejudice being shown for the *very brief delay* by caused by the *pro se* Appellant's life-circumstances in seeking to cure the noted deficiencies.

Rather than seeking to prematurely dismiss this appeal, the panel of judges assigned to hear and determine this appeal ought to be concerned with the merit of the pro se Appellant's appellate issues.

Indeed, this Court has recognized, as other courts throughout the nation have acknowledged, cases and the matters within them, brought before a court by a *pro se* litigant, are to be dealt with solicitude by court and with the inclination to resolve matters on their merit, if any, rather than disposing of those matters *without resolution* on procedural grounds.

In conclusion, the pro se Appellant will note these: (1) all deficiencies noted by the clerk have been cured: (2) the transcript has been ordered: and (3) the request for **"permission to order the transcript outside the filing deadlines"**² is made hereby.

¹ The *pro se* Appellant was told directly by the assigned case analyst that he did not have to order the transcript unless and until he cured the deficiencies.

² The *pro se* Appellant was unsuccessful at finding any rule within the South Carolina Appellate Court Rules which require a party to an appeal to request the Court's "permission to **order the transcript** outside the filing deadlines". Again, the Clerk's office informed the *pro se* appellant that the "filing deadlines" are postponed until a noted deficiency is cured. And again, the Clerk did not note, as a deficiency in her dismissal order, a failure by the *pro se* litigant to comply with the SCACR regarding the transcript because it was her own office which advised the *pro se* litigant not to order the transcript until the noted deficiency



Patrick Lee Booker <patrickbooker85@gmail.com>

**Request for Transcript Regarding Magistrate Appeal Hearing 2023-CP-24-00645
Appellate Case No. 2023-001989**

1 message

Patrick Lee Booker <patrickbooker85@gmail.com>

Tue, Apr 2, 2024 at 7:36 AM

To: "Scott, Tara T." <tscott@sccourts.org>

Cc: transcripts@sccourts.org

Hello Ms. Scott, please accept this email communication as my official request for transcription of the appeal hearing held on October 24, 2023 before Judge Addy.

Thank you kindly.



Patrick Lee Booker <patrickbooker85@gmail.com>

**Request for Transcript Regarding Magistrate Appeal Hearing 2023-CP-24-00645
Appellate Case No. 2023-001989**

1 message

Patrick Lee Booker <patrickbooker85@gmail.com>

Wed, Apr 3, 2024 at 11:33 AM

To: "Scott, Tara T." <tscott@sccourts.org>

Although I have previously "emailed" you a request for the Transcript, I had not yet sent you a "letter" requesting a copy of the Transcript. Attached hereto in pdf, please find my letter to you formall requesting a copy of the Transcript.

Thank you.

 **Court Reporter Letter.pdf**
98K

TO: Tara T. Scott, CVR

S.C. Court Reporter, Eighth Judicial Circuit

1849 Stevenson Road

Abbeville, S.C., 29620

tscott@sccourts.org

FROM: Patrick L. Booker

103 Rock Knoll Drive

Greenwood, S.C., 29649

patrickbooker85@gmail.com

DATE: April 2, 2024

RE: Local Finance of Greenwood v. Patrick L. Booker

**SUBJECT: REQUEST FOR TRANSCRIPT OF A MAGISTRATE'S APPEAL HEARING
HELD October 24,2023, BEFORE JUGDE FRANK ADDY, JR., DURING
GREENWOOD COUNTY COURT OF COMMON PLEAS**

Dear Ms. Scott:

Please accept this correspondence as my formal request that you transcribe the entire MAGISTRATE'S APPEAL hearing proceeding held before the Honorable Frank R Addy, Jr., on October 24, 2024, during a term of common pleas court for Greenwood County. Please inform me of the fees and costs associated with the transcription of the afore-said proceedings. Thank you.

s/ _____

Patrick L. Booker

CC: My File;

SC COURT ADMINISTRATION



Patrick Lee Booker <patrickbooker85@gmail.com>

**Request for Transcript Regarding Magistrate Appeal Hearing 2023-CP-24-00645
Appellate Case No. 2023-001989**

Scott, Tara T. <tscott@sccourts.org>

Wed, Apr 3, 2024 at 12:37 PM

To: "patrickbooker85@gmail.com" <patrickbooker85@gmail.com>

Cc: Transcripts <transcripts@sccourts.org>

Good afternoon, Mr. Booker.

I am in receipt of your transcript request and have placed it in line for production. As you are familiar, the cost per page is \$4.25. If it is all right with you, I will send an invoice when it is complete rather than having you pre-pay an amount and then having to reimburse you for an overage or ask for additional money.

I am also attaching Transcript Request SCCA Form 800 in both .pdf and Word forms. Save these for any future requests and when you send them to the Court Reporter who took the proceedings, also copy the transcripts@sccourts.org website to ensure that your request is promptly received, processed, and we have a good record of all correspondence. I think I have everything I need to complete this particular transcript, so you don't have to send the form back to me.

Sincerely,

Tara Scott

Tara T. Scott, CVR

Official Court Reporter

SC Judicial Branch

tscott@sccourts.org

864-992-9544

From: Patrick Lee Booker <patrickbooker85@gmail.com>

Sent: Wednesday, April 3, 2024 11:33:03 AM

To: Scott, Tara T.

Subject: Request for Transcript Regarding Magistrate Appeal Hearing 2023-CP-24-00645 Appellate Case No. 2023-001989

*** EXTERNAL EMAIL: This email originated from outside the organization. Please exercise caution before clicking any links or opening attachments. ***

Although I have previously "emailed" you a request for the Transcript, I had not yet sent you a "letter" requesting a copy of the Transcript. Attached hereto in pdf, please find my letter to you formally requesting a copy of the Transcript.

Thank you.

~~~ CONFIDENTIALITY NOTICE ~~~ This message is intended only for the addressee and may contain information that is confidential. If you are not the intended recipient, do not read, copy, retain, or disseminate this message or any attachment. If you have received this message in error, please contact the sender immediately and delete all copies of the message and any attachments.

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**3 attachments**



**Form. Transcript Request Form (SCCA 800) 1222 (Revised).docx**

72K



**Form. Transcript Request Form (SCCA 800).pdf**

150K



**Court Reporter Letter.pdf**

98K



Patrick Lee Booker &lt;patrickbooker85@gmail.com&gt;

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**Request for Transcript Regarding Magistrate Appeal Hearing 2023-CP-24-00645  
Appellate Case No. 2023-001989**

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**Patrick Lee Booker** <patrickbooker85@gmail.com>

Wed, Apr 3, 2024 at 1:20 PM

To: "Scott, Tara T." &lt;tscott@sccourts.org&gt;

Cc: Transcripts &lt;transcripts@sccourts.org&gt;

Excellent!

Thank you kindly for prompt response and for your time and attention to this matter as well as for the information in the event of future reference.

And yes, you may invoice me as well as soon as it is completed.

Sent from my Verizon, Samsung Galaxy smartphone  
Get Outlook for Android

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**From:** Scott, Tara T. <tscott@sccourts.org>**Sent:** Wednesday, April 3, 2024 12:37:29 PM**To:** patrickbooker85@gmail.com <patrickbooker85@gmail.com>**Cc:** Transcripts <transcripts@sccourts.org>**Subject:** Re: Request for Transcript Regarding Magistrate Appeal Hearing 2023-CP-24-00645 Appellate Case No. 2023-001989

[Quoted text hidden]

WHEREFORE, rather than seeking to dismiss this case, this Court, through the panel of judges assigned to “hear and decide” this appeal, is respectfully requested for “permission to order the transcript outside of filing deadlines”.

April 4, 2024

Patrick L. Booker

Patrick Lee Booker, Pro Se Appellant

### CERTIFICATE OF SERVICE

I, Patrick L. Booker, hereby certify that I served the foregoing upon all parties entitled to service by personally hand-delivery of the same upon Local Finance of Greenwood.

April 4, 2024

Patrick L. Booker

**RECEIVED**

APR 08 2024

SC Court of Appeals