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**Aug 02 2024**

**SC Court of Appeals**

THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

APPEAL FROM COLLETON COUNTY  
Court of Common Pleas

The Honorable Bentley D. Price, Presiding Court Judge

Appellate Case No. 2024-001167

Atlantic Specialty Insurance Company.....Respondent

v.

Roy Walker.....Appellant

MOTION TO ORDER TRANSCRIPT OUT OF TIME

Appellant hereby moves for permission to order the transcript of the hearing on Respondent’s Motion for Summary Judgment out of time. There was some confusion as to whether a transcript existed, but Appellant has confirmed that there is a transcript and has ordered the same as shown by the attached Exhibit 1. Appellant further shows that no prejudice results to any party and that having the transcript would aid the Court in considering the appeal. Pursuant to Rule 11, consultation with opposing counsel would serve no useful purpose.

Respectfully submitted,

s/Darrell Thomas Johnson, Jr.  
Darrell Thomas Johnson, Jr. (3010)  
Post Office Box 1125  
Hardeeville, South Carolina 29927  
(843) 784-2142  
(843) 784-5770(facsimile)  
tdjohnson1@johnsonslawoffice.com  
Attorney for Appellant

August 2, 2024

## Laura McKenzie

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**From:** Transcripts <transcripts@sccourts.org>  
**Sent:** Friday, August 2, 2024 12:29 PM  
**To:** Laura McKenzie  
**Cc:** Transcripts  
**Subject:** RE: Transcript for CP Case No: 2023-CP-15-00582

Good afternoon

Your transcript request has been received by our office. You should receive communication from a transcriptionist within 5 days with an estimated cost for production.

Thank you.

Court Reporter Section

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**From:** Laura McKenzie <laura@johnsonslawoffice.com>  
**Sent:** Friday, August 2, 2024 12:13 PM  
**To:** Transcripts <transcripts@sccourts.org>; Coath, Cordelia <ccoath@sccourts.org>  
**Cc:** Tom Johnson <tjohnson1@johnsonslawoffice.com>; Leanne Motes <lmo@johnsonslawoffice.com>; wylie.clarkson@clarksonlawllc.com  
**Subject:** Transcript for CP Case No: 2023-CP-15-00582

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

Good morning Cordelia,

Per our conversation this morning, please confirm that the Motion for Summary Judgment hearing of 5/29/2024, was held via WebEx, therefore no court reporter was present. However, this has been sent to be transcribed. I have also attached Transcript Request Form.

Thank you for your assistance,

*Laura McKenzie*

The Law Office of Darrell Thomas Johnson, Jr  
Post Office Box 1125  
Hardeeville, SC 29927  
Telephone (843) 784-2142  
Facsimile (843) 784-5770

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SC Court of Appeals

### Transcript Request Form

Pursuant to Rule 207 and 607 of the South Carolina Appellate Court Rules, the transcribed paper copy is the official record of court proceedings. You may request a transcript by completing this form and emailing it to the Court Reporter and to South Carolina Court Administration at [transcripts@sccourts.org](mailto:transcripts@sccourts.org). Click [here](#) for instructions on how to find the court reporter's email and mailing addresses. Once the court reporter receives your request, it will be processed pursuant to Rule 207 and 607 of the SCACR. Rule 607(h) governs the fees for transcripts, which are not provided for free or at reduced rates to any party. Please send by mail a money order or certified bank check to the court reporter in order to obtain the transcript. Some court reporters may accept personal checks. Please check with the court reporter to see if this option is available. Once your request is received, you will receive a copy of this form with the bottom portion completed. Please promptly submit your payment in order for the transcript to be provided. If you need to cancel the transcript request for any reason, you are responsible for paying for the pages of the transcript that have already been completed at the time of the cancellation.

| Requestor's Information                                 |  |                                                                                                                   |                                  |
|---------------------------------------------------------|--|-------------------------------------------------------------------------------------------------------------------|----------------------------------|
| <b>Full Name</b><br>Darrell T. Johnson, Jr.             |  | 843-784-2142                                                                                                      | tdjohnson1@johnsonslawoffice.com |
| PO Box 1125                                             |  | Hardeeville                                                                                                       | SC 29927                         |
| Transcript Information                                  |  |                                                                                                                   |                                  |
| <b>Docket Number</b><br>2023-CP-15-00582                |  | <b>Case Caption</b> (i.e. State v. John Doe or Smith v. Smith)<br>Atlantic Specialty Insurance Co. vs. Roy Walker |                                  |
| <b>Date(s) of Proceeding</b><br>5/26/2024               |  | <b>Circuit</b> <input type="checkbox"/>                                                                           | <b>County</b><br>Colleton        |
| <b>Presiding Judge</b><br>Honorable Judge Bentley Price |  | <b>Expedited</b> Yes <input checked="" type="checkbox"/><br>No <input type="checkbox"/>                           |                                  |
| <b>Court Reporter(s)</b><br>Web-Ex                      |  | <b>Opposing Counsel</b><br>Wylie W. Clarkson                                                                      |                                  |
|                                                         |  |                                                                                                                   |                                  |

**Requestor's Signature:** Darrell T. Johnson, Jr.  
(Typed name will serve as signature)

**Date:** August 2, 2024

**Note:** If you are ordering a transcript pursuant to Rule 207(a)(1), SCACR, you must contemporaneously furnish all parties, the Office of Court Administration, and the clerk of the appellate court with copies of all correspondence with the court reporter.

| For Court Reporter Use Only                                                                               |  |                               |                                             |
|-----------------------------------------------------------------------------------------------------------|--|-------------------------------|---------------------------------------------|
| <b>Full Name</b><br>_____                                                                                 |  | <b>Date Received</b><br>_____ | <b>Email Address</b><br>_____               |
| <b>Notice of Estimate to Requestor Party</b><br>Date: _____ Number of Pages: _____ Estimated Amount _____ |  |                               |                                             |
| <b>Mailing Address for Payment</b><br>_____                                                               |  | <b>City</b><br>_____          | <b>State</b> _____<br><b>Zip Code</b> _____ |

**Laura McKenzie**

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**From:** Laura McKenzie  
**Sent:** Friday, July 26, 2024 9:59 AM  
**To:** common pleas  
**Subject:** RE: Case No: 2023-CP-15-00582

Thank you.

*Laura McKenzie*

The Law Office of Darrell Thomas Johnson, Jr  
Post Office Box 1125  
Hardeeville, SC 29927  
Telephone (843) 784-2142  
Facsimile (843) 784-5770

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**From:** common pleas <commonpleas@colletoncounty.org>  
**Sent:** Friday, July 26, 2024 9:58 AM  
**To:** Laura McKenzie <laura@johnsonslawoffice.com>  
**Subject:** Re: Case No: 2023-CP-15-00582

Good morning,

You will need to contact Court Administration about getting a transcript. We no longer have Court Reporters for Non-Jury and Motions court. Everything is recorded on WebEx. The Clerk's office does not have access to the recording.

The Common Pleas Department

On Thu, Jul 25, 2024 at 12:49 PM Laura McKenzie <laura@johnsonslawoffice.com> wrote:

Good afternoon,

I am in need of the name of the Court Reporter for the May 29, 2024 Motion for Summary Judgment hearing regarding the above referenced case. Case name is Atlantic Specialty Insurance Co. v Roy Walker.

Please let me know if you need more information regarding this request.

Thanking you in advance,

*Laura McKenzie*

The Law Office of Darrell Thomas Johnson, Jr

Post Office Box 1125

Hardeeville, SC 29927

Telephone (843) 784-2142

Facsimile (843) 784-5770

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Appellate Case No. 2024-001167

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Atlantic Specialty Insurance Company.....Respondent,

v.

Roy Walker.....Appellant.

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PROOF OF SERVICE

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I certify that I have served Motion to Order Transcript Out of Time on Respondent, Atlantic Specialty Insurance Company, to their Attorney of Record via email, on August 2, 2024, to its attorney of record, addressed to:

wylie.clarkson@clarksonlawllc.com

Wylie W. Clarkson, Esquire

Clarkson & Hale, LLC

Post Office Box 287

Columbia, South Carolina 29202

s/Darrell Thomas Johnson, Jr.

Darrell Thomas Johnson, Jr. (3010)

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Attorney for Appellant