

Tamie M. Ward  
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- mailed 8/15/24

August 5, 2024

**RECEIVED**

**Sep 10 2024**

**SC Court of Appeals**

Ms. Jenny Kitchings, Clerk of Court  
South Carolina Court of Appeals  
P. O. Box 11629  
Columbia, South Carolina 29211

RE: **Video CD of Oral Argument** - Heard on December 6, 2022  
Appellate Case No. 2019-002124  
Published Opinion No. 6073, Filed July 24, 2024  
In RE: Estate of Stephen Day Ward, Jr. (Ward v. Ward)  
Charleston County Probate Court Case No. 2016-ES-10-1631 (Condon)

Dear Madam Clerk,

Enclosed is a personal check in the amount of \$20.00 for a copy of the oral argument in the case referenced above.

The video is still available for public viewing on the SC Judicial Branch website, [sccourts.org](http://sccourts.org). Therefore, I am **requesting the full video version** and ask that it not be converted from a video to an audio version, as was done on my two previously ordered oral argument CDs.

Please let me know if there are any questions. Thank you for your assistance with this request.

Sincerely,

*Tamie M. Ward*

Tamie M. Ward

Enclosure as stated

PAY TO THE ORDER OF  
WEDS BAROSSA, NINA  
FOR DEPOSIT ONLY  
SC GENERAL DEPOSITER'S  
GENE S JUDICIAL BRANCH  
ACCOUNT  
(B040 \$C Judicial Branch)

ELECTRONICALLY PRESENTED 8/12/2024



### Adv Plus Banking - [REDACTED]: Account Activity

#### Transaction details

Posting date	Aug 12, 2024
Description	Check
Type	Check
Status	Cleared ✓
Check #	3704
Amount	-\$20.00 ✓
Description	Check
Merchant name	Check
Transaction category	Cash, Checks & Misc: Checks

#2017-001131  
Gunnells v. Harkness  
Oral Argument

SC Court of Appeals

#2018-001680  
Elizabeth Murray v.  
The Estate of  
William S. Murray

# South Carolina Appellate Case Management System

C-Track, the browser based CMS for Appellate Courts

Appellate Case No. ...

CLERK'S OFFICE  
SUPREME COURT  
COURT OF APPEALS


**Cases**

Case Search

Participant Search

**Disclaimer:** The information and documents available here should not be relied upon as an official record of action. Only filed documents can be viewed. Some documents received in a case may not be available for viewing. Some documents originating from a lower court, including records and appendices, may not be available for viewing.

**Case Information: 2019-002124**

<b>Court:</b>	Court of Appeals	<b>Classification:</b>	Appeal - Common Pleas - Appeal from Probate Court
<b>Short Title:</b>	In RE: Estate of Stephen Day Ward, Jr. (Ward v. Ward) <a href="#">View Full Title</a>	<b>Case Status:</b>	Petition for Rehearing Pending
<b>Consolidated:</b>			
<b>Filed Date:</b>	12/31/2019	<b>Oral Argument Date:</b>	12/06/2022 10:40 AM 
<b>Disposition Date:</b>	07/24/2024	<b>Disposition Type:</b>	Opinion
<b>Remittitur Date:</b>			
<b>Lower Court or Tribunal:</b>	Charleston (2019CP1001932)		














**- Party Information**

Appellate Role	Party Name	Former	Attorney(s)
Appellant	Stephanie Ward Cibinic	N	Amanda A. Bailey (Former) George Edmondston Morrison Daniel Simmons McQueeney, Jr.
Appellant	Brian C. Ward	N	Amanda A. Bailey (Former) George Edmondston Morrison Daniel Simmons McQueeney, Jr.
Appellant	David D. Ward	N	Amanda A. Bailey (Former) George Edmondston Morrison Daniel Simmons McQueeney, Jr.
Respondent	Mary K. Ward	N	Jane A. McFaddin

**Views**

**Display:** Descending











**Event Information**

Filed Date	Event Information	Doc
09/03/2024	Correspondence - Outgoing (Response to Respondent's Itemized Statement of Costs and Proof of Service - No to be Considered)	
08/29/2024	Correspondence - Incoming (Respondent's Itemized Statement of Costs and Proof of Service)	
08/12/2024	Correspondence - Incoming (Notice of Appearance - Daniel S. McQueeney, Jr., Esquire)	
08/12/2024	Rehearing - Appellants' Petition for Rehearing	
07/24/2024	Dispositional Decision - Opinion	
05/29/2024	Correspondence - Outgoing (Response to Respondent's Request for Status Update of Appeal)	
05/21/2024	Correspondence - Incoming (Respondent's Request for Status Update of Appeal)	
07/19/2023	Non-Dispositional Decision - Order Withdrawing Amanda A. Bailey as Counsel	
07/05/2023	Deficiency - Correction	
07/03/2023	Deficiency - Deficiency Letter Sent (Filing Fee)	
06/30/2023	Motion -Withdraw as Counsel (Amanda A. Bailey)	
03/07/2023	Correspondence - Outgoing (Court's Response to Letter for Clarification From Jane A. McFaddin, Esq.)	
03/03/2023	Correspondence - Incoming (Letter for Clarification From Jane A. McFaddin, Esq.)	
12/06/2022	Oral Argument - Oral Argument Held	
11/21/2022	Correspondence - Incoming (Signed Acknowledgment)	
11/09/2022	Correspondence - Incoming (Signed Acknowledgment)	
11/07/2022	Correspondence - Incoming (Signed Acknowledgment)	
11/02/2022	Correspondence - Outgoing (Oral Argument Notification)	

Recv'd call on 8/9/24 @ 4:07pm



08/16/2022	Correspondence - Incoming (Response to Preliminary List)	
08/12/2022	Correspondence - Incoming (Response to Preliminary List)	
08/10/2022	Correspondence - Outgoing (Carry Over Cases from Preliminary List)	
07/20/2022	Correspondence - Incoming (Response to Preliminary List)	
07/19/2022	Correspondence - Incoming (Response to Preliminary List)	
07/13/2022	Correspondence - Outgoing (Conflict Letter)	
07/12/2022	Record - Record on Appeal Filed (corrected per Court's request)	
07/12/2022	Deficiency - Deficiency Letter Sent (Record on Appeal)	
02/10/2022	Correspondence - Outgoing (Letter Requesting Six Bound Copies)	
06/17/2021	Correspondence - Incoming (Received One Bound Copy of Appellant's Final Briefs and Record -Cover Letter)	
06/15/2021	Correspondence - Outgoing (Bound Copy Letter)	
02/04/2021	Correspondence - Outgoing (Regarding Deficiency for Motion to Allow Late Filing)	
02/04/2021	Non-Dispositional Decision - Order Allowing Late Filing of Respondent's Final Brief	
02/03/2021	Deficiency - Deficiency Letter Sent for Motion to Allow Late Filing	
01/14/2021	Correspondence - Incoming (Filing Fee for Motion to Allow Late Filing of Respondent's Final Brief)	
01/11/2021	Final Brief - Respondent	
01/11/2021	Motion - Allow Late Filing of Respondent's Final Brief	
01/08/2021	Correspondence - Outgoing (Request for Respondent's Final Brief)	
11/25/2020	Final Brief - Reply	
11/25/2020	Final Brief - Appellant	
11/25/2020	Correspondence - Incoming (Amended Index for Record on Appeal)	
11/10/2020	Deficiency - Attempted Correction for Record on Appeal	
11/09/2020	Deficiency - Deficiency Letter Sent for Record on Appeal	
11/05/2020	Record - Record on Appeal Filed	
11/05/2020	Record - Proof of Service of Record on Appeal	
10/29/2020	Non-Dispositional Decision - Order Granting 4th Extension for Respondent's Initial Brief and Designation of Matter	
10/21/2020	Non-Dispositional Decision - Order allowing Substitution of Ann Noble-Kiley, as Personal Representative of the Estate of Mary K. Ward (respondent)	
10/19/2020	Initial Brief - Reply	
10/15/2020	Deficiency - Correction (Filing Fee)	
10/09/2020	Deficiency - Correction for Motion to Substitute Parties/Proof of Service	
10/09/2020	Deficiency - Deficiency Letter Sent for Motion to Substitute Parties	
10/08/2020	Designation of Matter - Designation of Matter Filed by Respondent	
10/08/2020	Initial Brief - Respondent	
10/08/2020	Motion - Substitute Party	
10/01/2020	Motion - Extension of Time (4th) for Respondent's Initial Brief and Designation of Matter	
09/03/2020	Non-Dispositional Decision -3rd Extension Granted for Respondent's Initial Brief and Designation of Matter	
08/05/2020	Motion - Return to Respondent's 3rd Motion for an Extension	
08/03/2020	Motion - Extension of Time (3rd) for Respondent's Initial Brief and Designation of Matter	
07/14/2020	Non-Dispositional Decision - 2nd Extension Granted for Respondent's Initial Brief and Designation of Matter	
07/14/2020	Correspondence - Incoming (Memo in Support of Respondent's 2nd Motion for Extension)	
07/13/2020	Motion - Extension of Time (2nd) for Respondent's Initial Brief and Designation of Matter	
06/01/2020	Deficiency - Correction for Designation of Matter	
05/29/2020	Non-Dispositional Decision - Extension Granted for Respondent's Initial Brief and Designation of Matter	
05/28/2020	Motion - Return (Consent to Motion for Extension of Respondent's Initial Brief and Designation of Matter)	
05/28/2020	Motion - Extension of Time (1st) for Respondent's Initial Brief and Designation of Matter	
05/06/2020	Correspondence - Outgoing (Letter - Deficiency Letter Sent for Appellant's Designation of Matter)	
05/01/2020	Designation of Matter - Designation of Matter Filed by Appellant	

05/01/2020	Initial Brief - Appellant	
04/02/2020	Transcript Documents - Transcript Delivered - Direct Appeal	
03/30/2020	Correspondence - Outgoing (Request Transcript Status)	
02/06/2020	Correspondence - Incoming (Copy of Probate Order)	
01/24/2020	Correspondence - Outgoing (Letter Requesting order)	
01/23/2020	Transcript Documents - Transcript Ordered	
01/21/2020	Transcript Documents - Transcript Ordered	
01/16/2020	Correspondence - Outgoing (Request Transcript Order Status)	
01/06/2020	Correspondence - Outgoing (Letter - Notice of Appeal Initial Letter)	
12/31/2019	Notice of Appeal (Civil) - Initial	

(Oral arguments)

**Tuesday, December 6, 2022**[2020-000046 - Mark Green v. Wayne B. Bauerle](#)

Wayne B. Bauerle, M.D. and Wayne B. Bauerle, M.D., P.C. appeal the circuit court's order computing setoffs from verdicts returned in favor of Randall and Ann Green. Appellants argue the circuit court erred in (1) finding the Greens intended their settlement with Grand Strand Regional Medical Center be allocated equally between them; (2) determining loss of consortium damages sustained by Ann Green in excess of the jury's verdict; (3) failing to treat the verdicts and settlement proceeds as marital or joint property; and (4) failing to apply controlling precedent in calculating setoff.

\* [2019-002124 - In RE: Estate of Stephen Day Ward, Jr. \(Ward v. Ward\)](#) @ 10:40 am

In this estate action, Appellants Stephanie Ward Cibinic, David D. Ward, and Brian C. Ward argue that the circuit court and probate court erred in finding that Mary K. Ward was entitled to an omitted spousal share from the estate of Stephen Day Ward, Jr.

[2019-001920 - The State v. Rodney J. Furtick](#)

Rodney Furtick appeals his conviction of second-degree criminal sexual conduct, arguing the circuit court erred in finding evidence of his prior convictions was admissible for impeachment purposes under Rule 609, SCRE.

[2019-001841 - Malinda Sullivan-Carter v. Sammy Carter](#)

In this family court action filed by Malinda J. Sullivan-Carter against Sammy Joe Russell Carter, Sullivan-Carter appeals, arguing the family court erred in (1) finding a common law marriage existed; (2) equitably dividing the parties' property; and (3) granting Carter attorney's fees.

[2019-001417 - The State v. Kayla M. Cook](#)

Kayla Marie Cook appeals her conviction for homicide by child abuse, arguing the trial court erred in (1) refusing to grant a mistrial and (2) allowing the introduction of evidence that the minor victim suffered an arm injury two- to four-weeks prior to her death.

[2021-000768 - Aracelis Santos v. Harris Investment](#)

In this appeal, Aracelis Santos argues the magistrate court erred in granting Harris Investment Holdings, LLC (HIH) attorney's fees pursuant to the terms of their lease agreement. In this appeal, Aracelis Santos argues the circuit court erred in granting Harris Investment Holdings, LLC's (HIH) motion to dismiss Santos's complaint pursuant to Rule 12(b)(6), SCRCP.

**Monday, December 5, 2022**[2019-001719 - Innovative Waste Management v. Crest Energy Partners](#)

In this complex litigation, Crest Energy Partners appeal an order granting sanctions for failing to cooperate in discovery.

**From:** [tamie ward](#)  
**To:** [Court Of Appeals Filings](#)  
**Cc:** [Supreme Court Filings](#); [josephjefferson@schouse.gov](mailto:josephjefferson@schouse.gov); [joejefferson@tds.net](mailto:joejefferson@tds.net); [seanbennett@scsenate.gov](mailto:seanbennett@scsenate.gov); [joebustos@schouse.gov](mailto:joebustos@schouse.gov)  
**Subject:** Status of Oral Arguments Video CD - Estate of Stephen Day Ward, Jr. (Ward v. Ward), Published Opinion No. 6073  
**Date:** Tuesday, September 10, 2024 10:27:30 PM  
**Attachments:** [RequestLetterOralArgumentVideoCEstateofStephenDayWard.pdf](#)  
[CTrackCtAppPublishedOpinion6073EstateOfStephenDayWard.pdf](#)

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

To: South Carolina Court of Appeals  
Jenny Kitchings, Clerk of Court  
P. O. Box 11629  
Columbia, SC 29211  
803.734.1890  
[ctappfilings@sccourts.org](mailto:ctappfilings@sccourts.org)

**RECEIVED**  
**Sep 10 2024**  
SC Court of Appeals

Dear Madam Clerk,

I am following up on the status of the oral argument **video CD** that I ordered a month ago for the case referenced above. Attached is a copy of my letter and confirmation from Bank of America that my check cleared on 8/12/2024. Also attached is a copy of the C-Track Public Access Report that I routinely print when I am tracking a case.

On 8/09/2024, I received a call from your staff acknowledging receipt of my letter and check. We had a brief discussion about my letter, in that I was requesting a video CD and not an audio CD. This Court of Appeals oral argument was, and still is available for public viewing on the [sccourts.org](http://sccourts.org) website via the Video Portal (COA). I requested that you be consulted about this situation since my letter was addressed to you. I was told that my check would be held with my letter and that she would speak with you when you returned to work, as you were not available at that time. My check was cashed the following Monday. I have not received a call or email from anyone on your staff about my CD.

Just to provide some background and context, I have been researching certain appellate cases and following the process for Orders that originated in the Charleston County Probate Court, as Probate Courts are courts of record. During my research, I noticed **Orders that were not clock-stamped/not recorded/not filed pursuant to statutes** prior to being issued by the Court. Some of these Orders (with only the signature and date of the judge), have gone up on appeal to the Circuit Court and then the Court of Appeals. Therefore, these Orders are part of the record in the Public Index, in C-Track, and ultimately in Published Opinions (case law) and Unpublished Opinions of the Court of Appeals. I am aware that one of those cases is now pending before the Supreme Court so I will continue to follow that process.

Originally when I called the first time to ask about ordering a copy of oral arguments and mailing my payment, it was my understanding that only the audio version was available. However, when I called about my second request, I learned that the actual video of the oral argument was going to be converted to an audio version and that I would be receiving an audio CD. Although I did ask, I was not given a reason why other options aren't available

for litigants and/or the general public who are willing to pay \$20 for these oral arguments. I was informed that this is a long-standing practice of the Court of Appeals and that it has always been done this way. I also contacted Supreme Court Deputy Clerk of Court Brenda Shealy about their process when I was considering ordering the oral argument in the much-publicized case of State v. Jeroid Price which was heard last year in April 2023 and argued by SCAG Alan Wilson and Defense Attorney Todd Rutherford.

I would like to suggest having a second option of ordering a video CD and perhaps even a third option of having the ability to simply download the video. This would eliminate the need for CDs and/or DVDs altogether. Please let me know if there are any questions or concerns. I am happy to contact someone else or another department about my suggestions. I just need to know where to go from here. Today I watched the ETV live-stream of the Supreme Court oral arguments at The Citadel in Charleston and I will watch tomorrow as well, fascinating to watch! I look forward to having this issue resolved. Thank you.

Tamie Ward  
Summerville, SC  
Historic District 2 - Berkeley, Charleston & Dorchester Counties  
843.327.3540

cc: Rep. Joseph Jefferson, District 102 (Berkeley & Dorchester Counties)  
Sen. Sean Bennett, District 38 (Berkeley, Charleston & Dorchester Counties)  
Rep. Joseph Bustos, District 112 (Charleston County)  
SC Supreme Court - Clerk of Court Patricia Howard, [supctfilings@sccourts.org](mailto:supctfilings@sccourts.org)