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SC Court of Appeals

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April 15, 2025

South Carolina Court of Appeals

1220 Senate Street Columbia, SC 29201

RE: Appeal of Order of Dismissal in *Boekhoudt v. Wellington Square Acquisitions, LLC*, Appellate Case No. 2024-002028

Honorable Judges of the South Carolina Court of Appeals:

I. Introduction

I, Kendra Boekhoudt, Appellant, appeal the Order of Dismissal issued on April 7, 2025. The dismissal was based on an alleged failure to order the transcript. However, this failure resulted directly from explicit misinformation from the Clerk's office, which incorrectly stated a 60-day timeframe for transcript completion, and a lack of clear guidance from the Court on how to obtain the transcript.

I. Issues Presented for Appeal

1. Appellant's non-compliance was caused by misinformation the Clerk's office regarding the transcript deadline and a lack of clear procedural guidance from the Court.

III. Statement of Facts

1. The Court dismissed the case on April 7, 2025, for failure to order the transcript.
2. On March 25, 2025 the Clerk's office explicitly told the Appellant she had 60 days to address the transcript. The Court's letter dated March 20, 2025, lacked instructions on *how* to order the transcript.
3. Relying on the Clerk's office, the Appellant proceeded with other appeal steps. Upon realizing the error, the Appellant promptly attempted to order the transcript.
4. The delay caused no prejudice to the Respondent.

IV. Argument

1. **The Court Erred in Finding a Failure to Order the Transcript:**
 - The Appellant's non-compliance was due to:
 - Explicit misinformation from the Clerk's office about the transcript deadline.
 - A lack of clear instructions from the Court on the ordering process.
 - The Appellant reasonably relied on the Clerk's office's statement.
2. **The Dismissal Was an Unduly Harsh Sanction:**
 - Dismissal is too harsh when non-compliance is caused by misinformation from the Court.
 - The Appellant acted in good faith.

- There was no prejudice to the Respondent.

V. Conclusion

For these reasons, I respectfully request that the Court reverse the dismissal and reinstate the appeal. The dismissal resulted from misinformation from the Clerk's office and a lack of clear guidance. This is an unduly harsh sanction.

Respectfully submitted,

Kendra Boekhoudt and Marcus Adams