

STATE OF SOUTH CAROLINA) SOUTH CAROLINA CIRCUIT COURT
 15
COUNTY OF HORRY) DOCKET NO. 2020-CP-26-05267

25TH AVENUE, LLC,
Plaintiff,
versus
CAROL ANN HONEYCUTT,
Defendant.

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SC Court of Appeals

H E A R I N G
BEFORE THE HONORABLE B. ALEX HYMAN

DATE: July 24, 2024
TIME:
LOCATION: South Carolina Circuit Court 15
TRANSCRIBED BY: Mary Ragsdale

LEGAL EAGLE
Post Office Box 5682
Greenville, South Carolina 29606
864-467-1373
depos@legaleagleinc.com

1 APPEARANCES:

2

3 HENRIETTA GOLDING, ESQUIRE

4 Burr & Forman LLP

5 PO Box 336

6 Myrtle Beach, South Carolina 29578

7 Attorney for the Plaintiff,

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9 CAROL ANN HONEYCUTT, PRO SE

10 Attorney for the Defendant.

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17
18
19
20
21
22
23

INDEX

Proceedings.....	4
Certificate of Transcriber.....	30

EXHIBITS

(None marked)

(THIS TRANSCRIPT MAY CONTAIN QUOTED MATERIAL. SUCH MATERIAL
IS REPRODUCED AS READ OR QUOTED BY THE SPEAKER.)

1 THE COURT: Good afternoon, Ms. Honeycutt. Good
2 afternoon, Ms. Golding. How are you all?

3 MS. HONEYCUTT: Good afternoon.

4 MS. GOLDING: I'm well, thank you. I hope you're doing
5 well.

6 THE COURT: Doing good. All right, Ms. Golding, I -- I
7 understand we have a -- a motion from the plaintiff in this
8 and also a motion from the defense. I've had an opportunity
9 to view these motions as well as multiple exhibits. I'm
10 going to ask that we do the second motion first, and then Ms.
11 Golding, I'll hear your motion. Okay?

12 MS. GOLDING: Thank you, Your Honor.

13 THE COURT: Ms. Honeycutt.

14 MS. HONEYCUTT: Thank you, Your Honor I brought exhibits
15 with me and the clerk here is saying that I thought I could
16 give them to you ---

17 THE COURT: Are they the exhibits that you -- you
18 emailed me?

19 MS. HONEYCUTT: Those are kind of the outline, but I
20 have the exhibits referred to in the emails that I brought to
21 hand to you.

22 THE COURT: Are they the same exhibits that you have
23 provided to the court of appeals?

24 MS. HONEYCUTT: There's a various exhibits, kind of a --
25 a combination of things.

1 THE COURT: Well, let me ask you this, you, your motion
2 is -- is somewhat two-part. You have a motion saying that I
3 was wrong and -- and not granting your motion for an
4 injunction. And then you also have a motion requesting me to
5 allow you to compel the court reporter to attend and answer
6 some kind of interrogatories that you have. Is that correct?

7 MS. HONEYCUTT: Well, the court reporter needs to -- may
8 I get some water? My throat's really dry. The court
9 reporter needs to finish the transcript.

10 THE COURT: And -- and what is it that you're saying she
11 hasn't done? I -- I went through the exhibits with the Court
12 of Appeals, and I noticed that you had attached the full
13 transcript that Ms. Cleven gave you to that. And I'm asking
14 you, what -- what do you think is missing?

15 MS. HONEYCUTT: Not sure. I don't know who Ms. Cleven
16 is.

17 THE COURT: It's Cleven, Julie Cleven. She's the court
18 reporter.

19 MS. HONEYCUTT: Not on this case. It was Julie Kevish.

20 THE COURT: That -- that's who I'm talking about. You,
21 you, you provided the Court of Appeals, the full copy of
22 that. She gave you were in fact, where she has signed that
23 it's a true and accurate copy. Correct.

24 MS. HONEYCUTT: And that is not true. And I -- I wrote,
25 I -- I had to write, and if you went through the court

1 appeals document, I had to write 180 page document that
2 included exhibits. The incomplete transcript was at the end
3 of that.

4 THE COURT: And -- and I saw that, I read the entire
5 transcript, and I also saw your email where you emailed and
6 received a response from Ms. Holmes and where Ms. Holmes,
7 whose overall of the court reporters indicated that there
8 were no changes to the transcript that would need to be made.

9 MS. HONEYCUTT: Your Honor, Ms. Holmes, that was not an
10 -- she has -- thank you. Ms. Holmes has no authority to make
11 that decision. She did it to ---

12 THE COURT: Why did you respond to her?

13 MS. HONEYCUTT: She did it to cover up for the court
14 reporter. I gave-- I have with me today all the things that
15 are missing from that transcript, that hearing before Judge
16 McCaslin, and that's the one I'm looking for. That hearing
17 before Judge McCaslin lasted over an hour, maybe an hour and
18 20 minutes. That transcript should be at least 50 pages long
19 or maybe 50 to 60 pages long. I have in my -- in an exhibit
20 today, exactly what she left out of that transcript.

21 THE COURT: Well, just tell me what it is, because it
22 was 34 pages long and there was also a somewhat long recess
23 that was taken during the middle of it.

24 MS. HONEYCUTT: No, there was no -- well ---

25 THE COURT: Yeah, there was.

1 MS. HONEYCUTT: See, I don't have that in the
2 transcript. That's not in the transcript.

3 THE COURT: It's in the transcript that you provided.
4 Transcript that you sent to the Court of Appeals has where it
5 has a recess in it. Let's continue on.

6 MS. HONEYCUTT: Kind of an outline here. I have a
7 question, though. First, Ms. McCaslin never -- does not work
8 for 25th Avenue, LLC right now. Does she?

9 THE COURT: Who? Judge McCaslin.

10 MS. HONEYCUTT: Ms. Golding.

11 THE COURT: I'm going to ask that you change computers.
12 I don't know why we've got you on this computer. I thought
13 we were changing you to the other one. I can't hear you.

14 THE CLERK: That better if I turn it up? Can you hear
15 now?

16 THE COURT: Yeah, I can hear her now. Maybe it's the
17 fact, maybe she's just quiet, but I need to be able to hear
18 her. Did you ask me Judge McCaslin worked for 25th Avenue,
19 LLC?

20 MS. HONEYCUTT: No, Your Honor. I'm tired. I'm meant
21 Ms. Golding. I'm trying to ---

22 THE COURT: Is she currently still working for 25th
23 Avenue LLC? As of right now, yes. For this case, she's been
24 removed from the appellate case, but as for this case, she is
25 still on it. I have not relieved her.

1 MS. HONEYCUTT: I would like to just -- I would like to
2 do my opening remarks.

3 THE COURT: Okay.

4 MS. HONEYCUTT: And my thing in order (inaudible)
5 because my understanding is that Ms. Golding was not
6 representing them.

7 THE COURT: Ms. Golding is still representing them in
8 their state case, right now. She has not been relieved.

9 MS. HONEYCUTT: Exhibits to Ms. -- Mr. Williams. Not
10 Ms. Golding.

11 THE COURT: Okay.

12 MS. HONEYCUTT: Do you have in front of you the
13 7/24/2024 updated defendant's opening remarks?

14 THE COURT: I do.

15 MS. HONEYCUTT: I'm going to work from that.

16 THE COURT: Okay.

17 MS. HONEYCUTT: Because I tried to put it in logical
18 order. Okay. The orders from both judges are still under
19 appeal, therefore, all causes of action of the defendant are
20 still active. I've tried to simplify this because in the
21 document I sent you excerpts of transcript annotated; I've
22 labeled them Exhibit 2. And in that -- in that transcript, I
23 brought an entire transcript of our hearing -- our last
24 hearing, if you want to verify the excerpts. Okay.

25 Because in that transcript, a lot of things got mixed

1 up. Which judge did what, when, and who was first and who
2 was last and who affirmed one -- one order over another.
3 Okay. So the first one, Judge Curtis's hearing of May 31st,
4 2022, was on Webex.

5 In our last meeting, Ms. Golding said that let -- let's
6 go to Exhibit 2, which is that the excerpts of the
7 transcripts. Okay, Ms. Golding said that the case was over
8 because I was not going to be reinstated. It was incorrect.
9 And I, in this exhibit, I marked it with different type, what
10 was a lie and what was the truth and what was confused
11 because the orders and the -- and the hearings got confused.
12 Okay? The hearing was May 31, 2022.

13 I received the transcript from that on September 6,
14 2023, and I filed it with the Appellate Court on November
15 22nd. It was falsely stated by Ms. Golding that my appeal
16 was dismissed because I didn't have and file the transcript.
17 I did have it, and I did file it, and we know the case was
18 reinstated. The order of April 9th from the judge was the
19 reinstatement of the case. On the appellate court index on
20 April 9th for some reason, the clerk of the court put in a
21 non-dispositional order, which was incorrect. You -- it
22 would be easy to miss it, but that was the order, that
23 reinstated my case. So everything Ms. Golding said about my
24 case not being reinstated and the causes of action not
25 existing are not true because the case was reinstated.

1 Now, the second part, Judge McCaslin's hearing of April
2 24th, the court reporter, Ms. Kavish -- I've been trying to
3 get that transcript a complete transcript, since July 31,
4 2023. In fact, I ordered it on -- on May 14. I paid for it
5 on June 9th. On July 3rd, she sent me a partial transcript.
6 I have an exhibit here which says what was left out of it.
7 You mentioned that Tammie Holmes looked at that. She looked
8 at it to cover up for Julie Kavish.

9 And I can tell you that is an incomplete transcript. I
10 have exact details here on, I have an exhibit -- I have an
11 exhibit out here called Exhibit Number 8. I attached the
12 entire report of what was missing to the subpoena that I sent
13 to Ms. -- to Julie Kavish. And -- and that was just copies
14 of things I'd asked her for before. And once -- once I sent
15 her that July 31st letter, she never responded to me.

16 Now, it's her job. It's her job description. If
17 someone challenges your transcript, you have to -- you have
18 to write back to them. You have to provide the information
19 asked for. You have to be copied in on every communication
20 she has with the clerk of court and the other party. Now,
21 none of that was done, and that's what was in the subpoena
22 that I served on Julie Kavish.

23 THE COURT: And that's the subpoena that has been
24 quashed by the Supreme Court.

25 MS. HONEYCUTT: That's right. And I think there's a

1 story to that. I wrote that 180 page document because the
2 clerks of court were not providing. They were supposed to
3 connect me to a court reporter who would finish that or have
4 Julie finish it. And what they did is they just blocked all
5 my efforts. Okay, I'm on page 2 today.

6 Now, many of -- as you saw from my exhibit to the
7 excerpts, I went through there, and a lot of that was
8 misinformation. You made a decision on last time. On August
9 30th last year, I asked you to grant an order for Ms. Kavish
10 to finish that transcript. And you denied it because you
11 said the case was over, but it wasn't over, it was
12 reinstated. I pointed out in my remarks for today, areas
13 where there were absolute incorrect statements made -- best
14 way to see it is looking at Exhibit 2. It goes through and
15 it says what was true and what was not true. On Exhibit 2,
16 page 2, Ms. Golding said that -- that my case was dismissed
17 for not timely filing some information.

18 THE COURT: But -- but I want you to -- I want you to
19 answer me a question. You -- you would admit that your case
20 has been dismissed with the Court of Appeals multiple times
21 for not filing timely.

22 MS. HONEYCUTT: The very first time that I filed it I
23 got COVID.

24 THE COURT: It was dismissed, and a remittitur was done.
25 And then you refilled again with a new case number that goes

1 along with Judge McCaslin's orders as well. So it's Judge
2 Curtis's and Judge McCaslin's orders.

3 MS. HONEYCUTT: This time I got COVID. The court was
4 not emailing me, so I did not know what was going on. That
5 -- but then Judge Christie came up with some other -- I filed
6 a -- a motion for her to repeat or to her recuse herself, and
7 she denied that. And so I put -- I appealed that. So that
8 was the number that we're working with now, 2023-00-1023.

9 And then McCaslin and Curtis worked back and forth.
10 McCaslin ruled on Curtis's order, and then Curtis waited
11 until McCaslin ruled before she answered my -- before she
12 answered my motion, that she recuse, she waited till McCaslin
13 covered her before she answered. And then when McCaslin gave
14 her orders, I appealed them back to her and she somehow
15 forgot about them or something.

16 And it wasn't until January 11th of this year that the
17 clerk said, Hey, these orders are still open. And when she
18 denied my appeal, that's when I appealed on McCaslin.
19 McCaslin let's see -- let me see what else I want to tell
20 you. Okay. I have an Exhibit 4 here in front of me that I
21 was going to give to you that proves that ---

22 THE COURT: Have you provided opposing counsel with any
23 of these exhibits?

24 MS. HONEYCUTT: Well, they -- I would've given them to
25 Ms. Golding, but I didn't know she would. I -- I gave them -

1 -I gave a lot of things to Mr. Williams. I sent them to him,
2 but I would've handed them to Ms. Golding if she had -- if I
3 known that she wasn't off the case. But I do have copies,
4 you know, I have plenty of copies here for everyone. But
5 Exhibit 4, where she says the ---

6 THE COURT: Ms. Golding, do you have any objection to me
7 having somebody from the clerk's office bringing me these
8 exhibits?

9 MS. GOLDING: Oh, none at all. Thank you, Your Honor.

10 THE COURT: Ms. (inaudible), if you can hear me, will
11 you please step back here and bring me the exhibits that
12 she's referring to?

13 MS. HONEYCUTT: Your Honor, So I'm going to give you the
14 exhibits. Is someone going to take them to Ms. Golding?

15 THE COURT: Ms. Golding is not objecting to me viewing
16 the exhibits, even though she has not seen them.

17 MS. HONEYCUTT: Well, they're -- they're just things
18 pulled out of the case. Okay. And here's, yeah, he's going
19 to take ---

20 THE CLERK: He agreed for what (inaudible) one second.

21 MS. HONEYCUTT: I received a -- an email from Ms.
22 Golding's legal paralegal, and she said, don't send us
23 anything more.

24 THE COURT: And Ms. Golding, am I correct that you have
25 been removed from the appellate course, appellate case?

1 Excuse me.

2 MS. GOLDING: That's correct, Your Honor.

3 THE COURT: That's what I thought. Thank you.

4 MS. HONEYCUTT: I'm sorry, what? Repeat that please.

5 THE COURT: What? I'm sorry?

6 MS. HONEYCUTT: I missed what you said.

7 THE COURT: Ms. Golding said -- that I asked her if she
8 has been removed from the appellate case and she said yes.

9 MS. HONEYCUTT: I -- when Sheila said, don't send us
10 anything more then, I assumed that she was not acting on this
11 case either.

12 THE COURT: All right. As to the exhibit that you're I
13 guess introducing what exhibit is that now? Is that number
14 four or is that number ---

15 MS. HONEYCUTT: Yes -- yes, we're on page two of my
16 opening remarks. So Ms. Golding said that I had not filed
17 the right -- dismissed my appeal for not timely filing some
18 information. Exhibit 4 shows that I served it on Taylor
19 Voegel. I filed it on the 20th of June a year ago. The
20 exhibits on there, it shows the Document 800 and it shows
21 that Ms. Golding should have known about it because she
22 received all the correspondence that's attached to this.

23 She received the letter of November 22nd. She received
24 the letter of December 5th, and she has access to the port
25 ACMS index that has all that on there. So she made the

1 statement that I was dismissed for not timely filing some
2 information, and I did file it.

3 THE COURT: Okay.

4 MS. HONEYCUTT: Okay. So let's see. All right. Thank
5 you, Your Honor, for accepting those. Okay. So the
6 transcript related to Curtis was completed. The clerks in
7 the court's office would not -- they would not help me. I
8 even sent a certified letter to the clerk -- Kitchens the
9 chief -- the head clerk, Kitchens. I sent a certified
10 letter. I said, please help me get the Curtis transcript,
11 and no one would answer me.

12 So I called the court reporter that had worked for me
13 before named Bobby Fisher. And Bobby Fisher got in touch
14 with Tammie Holmes and Tammie Holmes helped me get the Curtis
15 transcript. Okay. So now I think actually Tammie Holmes got
16 in trouble for helping me because this last time she didn't
17 help me. She just rubber stamped what Julie Kavish did.

18 THE COURT: All right, well, let's -- let's -- let's get
19 back on track. How do these relate to your motion? You have
20 a motion to compel that's essentially a motion to reconsider
21 my prior decision in your motion to compel.

22 MS. HONEYCUTT: What I have put in my -- in my statement
23 here is that you were -- the information was misrepresented
24 to you for your -- the first time you made this decision.

25 THE COURT: That -- that information being, that your

1 appeal was dismissed, correct?

2 MS. HONEYCUTT: Well, yes, and that I didn't follow
3 through with what I was supposed to do.

4 THE COURT: Okay. But there's still -- and there was a
5 June 24th of 2024, where they're again sending you deficiency
6 notices.

7 MS. HONEYCUTT: That's correct. And that's -- that's
8 because I don't have a complete transcript from Julie Kavish,
9 and I'm here today to ask you to order her to provide that
10 transcript. And ---

11 THE COURT: You said there was an exhibit here that had
12 the things that you believed are missing from the transcript,
13 which -- which exhibit is that?

14 MS. HONEYCUTT: Eight -- eight. And these are all
15 things they were attached to her subpoena.

16 THE COURT: But you do understand that a subpoena is not
17 for -- for questioning. It is for inspecting. You -- you --
18 what you sent was a series of questions that you wanted her
19 to answer. That's -- that's in improper for a subpoena. You
20 understand that? And that -- and that's what the court, and
21 I can't hear you.

22 MS. HONEYCUTT: Now -- now that you've told me that.
23 But I had -- I had sent -- I had sent her these.

24 THE COURT: Supreme Court told you that.

25 MS. HONEYCUTT: Yes.

1 THE COURT: The Supreme Court told you that. Not just
2 me.

3 MS. HONEYCUTT: I had sent these by Certified mail to
4 her before. And you can see the dates on them. They were
5 like a year ago. And I'm asking to get this information so.

6 THE COURT: So let's go through this. You're saying
7 that it's incomplete because it doesn't have the exact time
8 that the hearing was started?

9 MS. HONEYCUTT: That's a -- that's just one of the
10 points if you go to page.

11 THE COURT: All right, we'll let -- let's go down
12 through all these points because I want to go to where you're
13 requesting for the information to please list the phone calls
14 you have had with each of the piece people listed in A, B,
15 and C. How is that part of a transcript?

16 MS. HONEYCUTT: Well, I'm trying to get information on
17 why her transcript is being blocked from me. Because the ---

18 THE COURT: Let -- let's go back. What does that have
19 to do with the transcript? Is that a part of the transcript
20 that you believe is missing?

21 MS. HONEYCUTT: That part isn't, that's related
22 information that she has a legal obligation to provide to me.

23 THE COURT: All right, so these are the things, hang on
24 -- let me finish my question. These are the things that you
25 are saying are missing the beginning time, the start time,

1 the end time, the first calling of -- of the case, and the
2 conversation that took place before the defendant entered the
3 courtroom. Is that it?

4 MS. HONEYCUTT: No, that's not it. If you keep going to
5 the second July 31st letter, which is it in another document.
6 This was 13 (b), page 2. There are ---

7 THE COURT: Again, you say the exact time, and then it
8 says, "The courtroom, several minutes after the case was
9 called." I -- I read the transcript where Judge McCaslin
10 immediately says, "Are you Ms. Honeycutt? And you introduce
11 yourself."

12 MS. HONEYCUTT: Right. But Ms. Vogel and Ms. Golding
13 were already sitting in there for 10 minutes and they don't
14 come up to the table till the case is called. They were
15 called up to the table. I came from the conference room
16 after a bathroom break. I came in after they were called to
17 the case.

18 THE COURT: What is it that you think was said during
19 that time?

20 MS. HONEYCUTT: I don't have any idea. That's why I
21 would like to have the full transcript. Okay. Then -- okay.
22 I asked her to fill in every word that was omitted from the
23 transcript where she just put dashes you know, on the second
24 page, number 7(a) was very important. On page three, line
25 23, she typed dot, dot, dot, but Judge McCaslin, this was

1 left out of the transcript. Judge McCaslin clearly stated
2 that witnesses are not called in motion hearings. That was
3 left out of the transcript. And so I asked her to please
4 supply the statements that she had omitted. And I had sent a
5 follow-up memorandum to Judge McCaslin after the hearing.
6 And I quoted that in my memorandum, but it was left out of
7 the transcript.

8 THE COURT: I'm going through this. Page 3, the Court
9 says, "This is a motions hearing. And what I'm hearing, this
10 isn't a trial to date -- trial date." That's what Judge
11 McCaslin says.

12 MS. HONEYCUTT: Well, I hadn't had -- she -- what was
13 left out of that transcript is that Judge McCaslin said, "you
14 haven't had -- you haven't had a complete." I guess she used
15 trial. I said, "I went before Judge Arakas and he did not
16 find that I had done anything wrong." I went before Judge
17 John and Judge John sent it back to ---

18 THE COURT: Well but let's be honest now, what you just
19 told the court that Judge Arrakis said you hadn't done
20 anything wrong. That's not accurate. Judge Arakas
21 transferring ---

22 MS. HONEYCUTT: I'm sorry -- I'm sorry. I'm so tired.
23 I'm not doing a good job. I -- you are right. Judge Arakas
24 said Ms. Golding brought it to the wrong -- to the wrong
25 court.

1 THE COURT: And then I believe it was sent back down to
2 Judge Arakas again for further hearing to because he -- I
3 don't believe he put in his order why it was being sent up
4 and then it was sent back up. And that's when Judge Curtis
5 heard it.

6 MS. HONEYCUTT: Judge Arakas didn't write that order.
7 Ms. Golding wrote that order to send it to Circuit Court.
8 Judge Arakas just signed it.

9 THE COURT: I mean, you -- you have things in here like
10 lines 13 and 14 are a quote from plaintiff's documents, and
11 they should be put in quotes. So again, you're not -- you're
12 not stating something that is not included. You're just
13 saying that maybe it's not grammatically correct the way that
14 it was punctualised.

15 MS. HONEYCUTT: Okay. What very important point that
16 was left out of the transcript is under number 7(e) and
17 that's that Judge McCaslin made a statement that I had had
18 two hearings and neither of them was completed. So she'd
19 sent -- so she meant that I have not had a hearing. She
20 said, "I have not had a hearing on the case." So all this
21 was done to me with no hearing. And Judge Curtis ruled on a
22 motion that she didn't even hear.

23 THE COURT: And I -- I saw your arguments on that and
24 Judge McCaslin ruled on that. Judge McCaslin ruled on that
25 argument.

1 MS. HONEYCUTT: Right. And exhibit in here, let's see,
2 Exhibit Number 11, which I came across right after our last
3 hearing. Judge McCaslin was brought in as the friend of
4 Taylor Voegel. She was brought from Lexington to hear this
5 case for Ms. ---

6 THE COURT: Hang on one second. Stop talking just for a
7 second. Let me explain to you, when judges are assigned, it
8 is done six months in advance. It's not done the week
9 before. It's done six months in advance. I received my --
10 my assignments and I have to travel. But I'm given those
11 schedules for six months. You've made multiple comments
12 throughout this afternoon in this hearing about people doing
13 things that are, I would deem as unethical.

14 But now you're talking about judges covering for other
15 judges, and judges being brought in on that. That's not how
16 it worked. That is absolute -- Judge McCaslin was assigned
17 to this court week, six months prior to that. Okay? So
18 let's go ahead and clear that up.

19 MS. HONEYCUTT: Well, Your Honor, I do know how to look
20 at those schedules and in terms of court, and ---

21 THE COURT: But you understand that Ms. ---

22 MS. HONEYCUTT: I don't think ---

23 THE COURT: Ms. Golding and Ms. Voegel don't schedule
24 these. The clerk does.

25 MS. HONEYCUTT: Let's just say Ms. -- Judge McCaslin

1 should have recused herself because she had, her interests
2 are very much in serving Taylor Voegel's interests and Mr.
3 (inaudible).

4 THE COURT: And tell, please tell me why that is.

5 MS. HONEYCUTT: Why is it? Because they're good
6 friends.

7 THE COURT: What does Taylor Vogel have to do with 25th
8 Avenue LLC other than being their attorney? Does -- does
9 McCaslin have anything to do with it?

10 MS. HONEYCUTT: No, it's not -- it's not what she has to
11 do with 25th Avenue, LLC. It's that Taylor Voegel was the
12 clerk for Judge McCaslin. And if you read this, you'll see
13 that she has very good things to say about how much she
14 appreciates Judge McCaslin. So, Judge McCaslin should have
15 recused herself, but she was there to help out Ms. Golding
16 and Ms. -- you know, Ms. Voegel acted as the attorney that
17 day. Ms. Golding didn't say anything because there was a
18 motion that where I was asking to dismiss her from the case.

19 THE COURT: So it would've been improper for Ms. Golding
20 to be arguing a motion that you had to dismiss her.

21 MS. HONEYCUTT: Well, there were two other -- two other
22 motions that we dealt with that day, but she didn't say
23 anything that day. Only Ms. Voegel talked.

24 THE COURT: Okay. All right. And again, what does,
25 what does this have to do with my motion in, in regards to

1 the transcript?

2 MS. HONEYCUTT: Regards to the (inaudible) so the court,
3 the reasons that I have been blocked from getting a complete
4 transcript. I have worked -- I'm -- I have 180 pages of
5 writing and documents where I tried to get that transcript.
6 I have a 100 percent right to that transcript. There is no
7 ifs, ands, or buts about it. And if I had been able to get
8 the transcript from you February 21st, I would not be in a
9 point of having a motion to reinstate again because I didn't
10 have the transcript to do the initial brief.

11 And, you know, and the designation of matter. I didn't
12 have the transcript. Appellate Court Rule 208 says, "you
13 have -- you don't start the transcript or you don't start the
14 -- the initial brief and the designation of matter, the date
15 starts when you have the complete transcript." I don't have
16 the complete transcript.

17 THE COURT: Well, I am making a finding on the record.
18 I've read through the transcript. Julie Kavish, as an
19 officer of the court has signed that it is a complete and
20 accurate representation of the evidence that was presented.
21 So, I am finding that it is a complete transcript for these
22 proceedings, and I'm going to deny your motion.

23 MS. HONEYCUTT: Your Honor, may I point out one thing
24 about the transcript?

25 THE COURT: Yes.

1 MS. HONEYCUTT: Okay. I believe that Ms. Kavish was
2 very upset by what was going on.

3 THE COURT: And again, that's pure speculation, and I'm
4 not allowed to consider speculation. Okay?

5 MS. HONEYCUTT: If you look at the last page of that
6 transcript, here's -- you're not allowed to look at
7 speculation. Ms. Kavish, in the emails that I had with her,
8 was avoiding giving me the transcript. The first email I
9 sent was May 9th. I had an incorrect -- thing in her email
10 address. But Ms. Golding and Ms. -- Ms. Voegel got that
11 email by the time I had a return on that, but she didn't get
12 it. That was May 14th. I sent her the request again. Ms.
13 Kavish made -- well, she would never respond. She's required
14 by the court to respond to me when I challenge her
15 transcript. And she has never responded to me. If you look
16 at the last page of that transcript, will you do that,
17 please? Where she signed on.

18 THE COURT: What -- what court rule?

19 MS. HONEYCUTT: This is important.

20 THE COURT: Hang on, let -- let me ask the question.
21 Rule 607 is what governs court reporters. And there's
22 nothing in there about her having to respond to your
23 challenge. She is ---

24 MS. HONEYCUTT: There is in the court ---

25 THE COURT: --- fair and accurate transcription of what

1 occurred that day, and she has signed that.

2 MS. HONEYCUTT: Look at the page where she signed it.

3 THE COURT: I -- I'm looking at it right now.

4 MS. HONEYCUTT: It says, what date does it say on there?

5 THE COURT: April 24, 2023.

6 MS. HONEYCUTT: That's the date of the hearing. She's
7 supposed to put the date that she completed the transcript on
8 there. That's in the court reporter manual. She -- she's
9 supposed to answer me and respond to me when I challenge her
10 transcript. She did not do that.

11 THE COURT: Okay. Well, again, I'm going to deny your
12 motion respectfully. I do believe that she has provided you
13 a full transcript. The Supreme Court has squashed your
14 subpoena, and I'm denying your motion. What other motion do
15 you have today, ma'am?

16 MS. HONEYCUTT: Your Honor, that is not -- that is not a
17 complete transcript. There were many areas of solid evidence
18 left out.

19 THE COURT: Ma'am, I've ruled. You understand me? All
20 right, what is your next motion?

21 MS. HONEYCUTT: The goal today is to try to get a full
22 transcript. I had put one point on here ---

23 THE COURT: I believe your other motion was that I was
24 wrong in denying your motion for an injunction.

25 MS. HONEYCUTT: No, that was not right. I -- I'm okay

1 with that ruling, I was just asking if it could be put in the
2 record as moot rather than denied.

3 THE COURT: No, ma'am. I think it's a -- a denial is
4 proper. I understand that. I may have said that it's really
5 a moot point because the building has been torn down, but I
6 found no merit to your argument for a -- an injunction. So
7 I'm denying your motion, which I've previously already done.

8 MS. HONEYCUTT: I did not get to present all the laws
9 and all the reasons that I should have that, a complete
10 transcript.

11 THE COURT: I have all of your exhibits here and you
12 have emailed them to me along with Judge Seals. What you
13 provided me here today is actually what you've already
14 previously emailed me, which I had seen. So unless there's
15 anything else that's outside of these exhibits, I don't have
16 anything else that I need to see.

17 MS. HONEYCUTT: Well, (inaudible) me a full right to the
18 transcript.

19 THE COURT: I'm sorry. I (inaudible).

20 MS. HONEYCUTT: The -- the law is undeniable. I have a
21 right to the full transcript

22 THE COURT: And I -- and I believe you've received the
23 full transcript.

24 MS. HONEYCUTT: You haven't listened to the audio.

25 THE COURT: Ma'am, you didn't even remember that there

1 was a recess?

2 MS. HONEYCUTT: Well, that's because I was focused on
3 the content, not the recess. I was focused on the content
4 missing and not that we took a potty break.

5 THE COURT: All right. Well, ma'am, I'm denying your
6 motion. I've given my reasons you've put your -- the
7 exhibits that you've had, you've provided them to the court.
8 I've looked through those, but respectfully, I'm denying your
9 motion. Okay. I don't believe we have any other motions
10 from Ms. Honeycutt. So we'll go on.

11 Ms. Golding your motion?

12 MS. GOLDING: Yes, sir. Your Honor, I filed a motion on
13 April 24th, 2024, to be relieved as counsel, my client has
14 dismissed me as no longer requires my assistance in this
15 matter, and therefore I request to be dismissed. I have been
16 dismissed by the Court of Appeals from the Appellate matters
17 and that was May 24, 2027. Excuse me. May 14, 2024.

18 THE COURT: And Ms. Golding, if I'm not mistaken, this
19 is by consent, by all parties. Is that correct? As far as
20 your front (inaudible).

21 MS. GOLDING: Yes. As far as from my-- my -- my
22 current, excuse me, Your Honor, I apologize. My counsel has
23 agreed by consent, and it is on the motion that they consent
24 to my dismissal.

25 THE COURT: All right, Ms. Golding, I will dismiss you

1 and grant the motion dismissing you from this case or -- or
2 relieving you as counsel from this case. Excuse me. Would
3 the Form 4 be sufficient for that?

4 MS. GOLDING: Yes, sir. Thank you, Your Honor.

5 THE COURT: Okay. All right. All right. Thank you Ms.
6 Honeycutt. Thank you Ms. Golding.

7 MS. HONEYCUTT: Your Honor ---

8 MS. GOLDING: Thank you, Your Honor.

9 MS. HONEYCUTT: I -- I did have one question for Ms.
10 Golding.

11 THE COURT: She can't rep -- I mean, she's no longer
12 representing them.

13 MS. HONEYCUTT: It's really about -- it's about her
14 Exhibit 13 (inaudible).

15 MS. GOLDING: I don't have a documentation.

16 THE COURT: Right. Why don't we do ---

17 MS. HONEYCUTT: It's -- it's the public index --- it's
18 written in the public index.

19 THE COURT: That's not part of what we're here for.
20 I've already relieved her as counsel. If you want to call
21 her office and speak with her about it, you can do that then.
22 But this doesn't need to be part of this record. All right,
23 thank you. Payne will be back tomorrow morning. I think we
24 are have -- have Georgetown hearings tomorrow. Thank you.

25 MR. PAYNE: Yes, bye.

1 (THERE BEING NOTHING FURTHER, THIS HEARING CONCLUDED)
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CERTIFICATE OF TRANSCRIBER

I, MARY RAGSDALE, a court-approved transcriber, do hereby certify that the foregoing is a true, accurate and complete Transcript of Record of the proceedings had and evidence introduced in the trial of the captioned case, relative to appeal, in the South Carolina Circuit Court 15 of Horry County, South Carolina, on the 24th Day of July, 2024.

I do further certify that I am neither of kin, counsel, nor interest to any party hereto.

July 30, 2024

Mary Ragsdale

Transcriber