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SC Court of Appeals

The Supreme Court of South Carolina

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BRANCH

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July 17, 2026

Victoria Joy Stevens
4311 Bryant Street
Loris, SC 29569

Re: Common Pleas Case No. 2022CP2604125 and Appellate Case No. 2025-001237

Dear Ms. Stevens:

On July 10, 2026, South Carolina Judicial Branch Court Reporter Kay H. Richardson received the attached document, which purports to be a "Subpoena *Duces Tecum*." The document demands that Ms. Richardson appear before the Clerk of Court for Horry County on July 31, 2026, and give testimony. It further demands that Ms. Richardson produce audio recordings from a circuit court proceeding, which you indicate will be supplied to a third party, "Ditto Transcripts," for transcription, and that Ms. Richardson produce prepared transcripts related to the same case.

On behalf of Ms. Richardson, the South Carolina Judicial Branch objects to this purported "subpoena" in accordance with Rule 45(c)(2)(B) of the South Carolina Rules of Civil Procedure (SCRCP). The bases for the objection are set forth below.

First and foremost, the subpoena directly contravenes the law of the State of South Carolina with regard to access to recordings of circuit court proceedings and the furnishing of a transcript by an official South Carolina Judicial Branch Court Reporter. Those processes are governed by Rule 607, SCACR, and the Court Reporter Manual of South Carolina. Neither Rule 607 nor the Manual permit a party to issue a subpoena *duces tecum* to obtain a court reporter's audio recordings or transcript prepared by a Judicial Branch Court Reporter.

There is no right for a party to demand and be provided copies of court reporter recordings, by subpoena *duces tecum* or otherwise. The Manual only permits a requestor to "listen to audio recordings" with the written authorization of the presiding judge or, in his or her absence, the chief judge for administrative purposes in that circuit. § XIII(B), S.C. Ct. Rep. Manual at 19 (Emphasis added). It does not allow a party to subpoena a court reporter's audio recording.

As you have been informed previously, the proper procedure when there is a question about the accuracy of a transcript is for the court reporter to review the recording and respond in writing. In your case, Ms. Richardson responded to your allegations of missing portions of the trial by email dated February 23, 2026 (filed in the Horry County Court of Common Pleas on February 27, 2026) indicating that she had reviewed the audio and included all on-the-record information in the transcript. She also provided instructions to you on how to properly challenge the transcript if you disagreed with her written determination, and a form you could fill out and submit. You failed to do so.

Your demand that Ms. Richardson supply a copy of the transcript also violates Rule 607(h), SCACR, which requires that a party pay a per page fee to a court reporter to supply a transcript, including for any copy of a previously provided transcript. *See* Rule 607(h)(2), SCACR (mandating a requesting party pay a fee of \$1.00 per page for furnishing a copy of a previously prepared transcript).

Indeed, the Court of Appeals previously denied your "motion to correct the record," wherein you sought access to this precise information contained in your subpoena, in an order dated June 23, 2026, which is attached. This subpoena is in direct contravention of the Court of Appeal's order.

Further, your subpoena was served after you served and filed a notice of appeal to the Court of Appeals. Your pursuit of an appeal divested the trial court of jurisdiction, such that your subpoena is a nullity. *See* Rule 205, SCACR ("Upon the service of the notice of appeal, the appellate court shall have exclusive jurisdiction over the appeal.").

Finally, even if this course of action was permitted by law—and it is not—the purported subpoena fails to comply with many of the requirements of Rule 45, SCRCP. Specifically:

- The subpoena impermissibly directs Ms. Richardson to appear and give testimony before the Horry County Clerk of Court. A subpoena may not be used to compel a person to appear before a clerk of court and testify. A subpoena that requires a party testify and includes a demand to produce evidence may only direct a party appear at a court proceeding or a deposition. Rule 45(a), SCRCP.
- In addition to being completely irregular on its face, the subpoena fails to include the text of paragraphs (c) and (d) of Rule 45, SCRCP, which is mandated by Rule 45(a)(1)(D).
- You have failed to provide proof of service of the subpoena on the other parties to the case in accordance with Rule 45(a)(4), SCRCP.

Based on all of the above, you are advised that no documents, recordings, objects, or any other information will be provided to you pursuant to this invalid subpoena.

Very truly yours,



General Counsel

To: Custodian of Records, Horry County Court of Common Pleas, Court Reporter Kay H. Richardson

Subpoena Duces Tecum

Court Reporter Kay H. Richardson, as Custodian of Records, you are commanded to attend and give testimony, produce and permit inspection and copying of all tangible things in your custody or control.

The Plaintiff, Victoria Joy Stevens, wishes to turn these over to have these transcribed by a third party, Ditto Transcripts. Please appear and turn over these Records at the time and place specified.

Location: Renee Elvis Clerk of Court 1301 2nd Ave., Conway

Date: July 31, 2026

1. Audio recordings from which transcript were prepared. Originating from Common Pleas case number 2022CP2604125, heard June 9, 2025, starting at 12:00pm; ending June 10, 2025.
2. Copy of prepared transcripts relative to Common Pleas case number 2022CP2604125.

Your attendance is commanded; said items must be delivered. Failure to comply with this command can result in contempt of court charges, pursuant to Rule 45, sccourts.org.

Respectfully Commanded,

Renee N. Elvis Date 6/29/26

Renee Elvis, Horry County Clerk of Court

Enc.

cc:

The Honorable Jenny Abbot Kitchings

South Carolina Court Administration

The Honorable Renee Elvis

Charles Ard

Kay H. Richardson

The South Carolina Court of Appeals

Victoria Joy Stevens, Appellant,

v.

Charles Ard, Respondent.

Appellate Case No. 2025-001237

ORDER

On February 20, 2026, Appellant filed a "motion to correct the record," in which she requested this court provide her with an "order to show to the lower court that judicial statements were erroneously and inadvertently omitted from the record on appeal." Respondent did not file a return. On April 10, 2026, Appellant filed a "motion to request professional verification [of] transcript accuracy and to disclose abuses of process," in which she asks this court to (1) order the court reporter to produce the original audio recording; (2) order an independent verification of the transcript by a certified forensic court reporter; (3) verify the frequency with which Respondent's counsel schedules his cases to be heard before the Honorable Alex Hyman; and (4) verify the frequency with which Judge Hyman utilizes the court reporter who transcribed the proceedings at issue here. Respondent did not file a return.

After careful consideration, we deny Appellant's motions. *See* Court Reporter Manual State of South Carolina, South Carolina Court Administration (Updated May 1, 2018) ("Court reporters shall not grant any request to listen to audio recordings or to read steno notes unless the requestor has received written authorization from the presiding judge or, in his/her absence, the chief judge for administrative purposes in that circuit."); *id.* (explaining that upon receipt of a challenge to the accuracy of a transcript, the court reporter will review the record and report the findings in writing to the challenger and "[f]urther review of the record may be permitted by the presiding judge upon written request with good cause shown").



J.

FOR THE COURT

Columbia, South Carolina

cc:

Victoria Joy Stevens

Lawrence Bradley Smith, Esquire

Charles Ard

FILED
Jun 23 2026
