

APPEAL FROM BERKELEY COUNTY

Chalandra Ross, Appellant
v.
Barbara McClennon, Respondent

Appellate Case No. 2026-001530

RECEIVED

SEP 09 2026

SC Court of Appeals

**MOTION FOR PERMISSION TO ORDER TRANSCRIPT OUTSIDE THE TIME
PROVIDED BY RULE 207(a)(1), SCACR, AND TO ACCEPT LATE COMPLIANCE**

COMES NOW Chalandra Ross, Appellant, appearing pro se, and respectfully moves the Court pursuant to Rules 207(a)(1), 240, 260, 263(b), and 267 of the South Carolina Appellate Court Rules for permission to order the transcript outside the ten-day period prescribed by Rule 207(a)(1), to accept Appellant's prompt late compliance, and to allow this appeal to proceed on the merits.

This motion is filed in direct response to the Clerk's letter dated August 27, 2026. That letter advises Appellant that the time for ordering the transcript has expired and expressly directs that, if the transcript was not timely ordered, Appellant must serve and file a motion requesting permission to order the transcript outside the Rule 207 deadline, together with a copy of the written request addressed to the court reporter.

Appellant respectfully seeks exactly that relief. Appellant does not seek to disregard Rule 207. She asks the Court to exercise the authority expressly preserved by Rule 263(b) to extend a non-jurisdictional appellate deadline, permit the transcript to be ordered now, and avoid dismissal where the record reflects continued, good-faith prosecution of the appeal rather than abandonment or an attempt to delay the proceedings.

FACTUAL AND PROCEDURAL BACKGROUND

1. Appellant filed a Notice of Appeal in this matter, and the South Carolina Court of Appeals assigned Appellate Case No. 2026-001530.
2. The Court's July 10, 2026 correspondence identified initial filing deficiencies. Appellant subsequently took steps to cure those matters, including submitting proof of service and the lower-court order being challenged.
3. Appellant has continued actively pursuing the appeal and has also sought appellate relief concerning supersedeas/stay if applicable for issues connected with the underlying ejectment proceedings.
4. On August 27, 2026, the Clerk notified Appellant that the time for ordering the transcript had expired and gave Appellant ten days to advise the Court of the transcript status or to file a motion requesting permission to order the transcript outside the filing deadline set by Rule 207.
5. Appellant is responding promptly to the August 27 notice and respectfully requests leave to place the transcript order now, together with whatever written arrangements and notices Rule 207 requires.

6. The transcript is important to the issues Appellant seeks to present on appeal, including what occurred at the circuit-court hearing, what matters were noticed for hearing, what arguments and objections were made, and what rulings were announced. Without the transcript, Appellant's ability to provide a record sufficient for meaningful appellate review may be substantially impaired.

7. Allowing the late transcript request will not alter the underlying judgment or expand the issues on appeal. It will instead help create the record necessary for the Court to evaluate the appeal accurately.

8. Appellant respectfully represents that this request is made in good faith, not for delay, and for the purpose of bringing the appeal into compliance with the South Carolina Appellate Court Rules.

ARGUMENT AND AUTHORITIES

I. RULE 263(b) EXPRESSLY AUTHORIZES THE APPELLATE COURT TO EXTEND THIS DEADLINE.

Rule 263(b), SCACR, provides that the time prescribed by the appellate rules for performing any act, except the time for serving the notice of appeal under Rules 203 and 243, may be extended or shortened by the appellate court or by a judge or justice thereof. The transcript-ordering deadline in Rule 207(a)(1) is not the jurisdictional notice-of-appeal deadline excluded from Rule 263(b). Accordingly, the Rules give this Court discretion to permit the transcript to be ordered after the original ten-day period.

II. RULE 207 ESTABLISHES THE TRANSCRIPT REQUIREMENT, AND APPELLANT NOW SEEKS TO COMPLY WITH IT.

Rule 207(a)(1), SCACR, requires an appellant from the court of common pleas to make satisfactory written arrangements with the court reporter for the transcript within ten days after service of the notice of appeal and to contemporaneously provide copies of the correspondence to all parties, the Office of Court Administration, and the Clerk of the appellate court. Appellant asks the Court for permission to accomplish those requirements now and to accept the resulting late compliance rather than dismiss the appeal.

III. THE TRANSCRIPT IS MATERIAL TO A SUFFICIENT RECORD AND MEANINGFUL APPELLATE REVIEW.

Rule 210(h), SCACR, limits appellate review to facts appearing in the Record on Appeal. South Carolina law places on the appealing party the burden of furnishing a record sufficient for intelligent review. *Hamilton v. Greyhound Lines East*, 281 S.C. 442, 444, 316 S.E.2d 368, 369 (1984). Rule 208 likewise requires record and transcript references supporting salient facts and showing relevant objections and rulings. Granting this motion therefore advances, rather than frustrates, the appellate rules by allowing Appellant to assemble the record the Court may need to decide the appeal.

IV. SOUTH CAROLINA AUTHORITY RECOGNIZES THAT GOOD-FAITH PROCEDURAL MISSTEPS SHOULD BE EVALUATED WITH DISCRETION RATHER THAN BY AUTOMATIC FORFEITURE.

In *Jordan v. The Hartford Financial Group, Inc.*, 435 S.C. 501, 868 S.E.2d 400 (Ct. App. 2021), the Court of Appeals reversed the dismissal of an appeal after a late filing caused by a good-faith calendaring mistake. Although *Jordan* arose in the workers' compensation appellate setting and did not involve Rule

207, its discussion of good cause is instructive. The Court emphasized that procedural deadlines matter, but that discretion exists so an honest, harmless misstep does not automatically eject a party from appellate review where good cause and lack of prejudice support relief. See also *Micronics, Inc. v. S.C. Dep't of Revenue*, 345 S.C. 506, 511, 548 S.E.2d 223, 226 (Ct. App. 2001) (recognizing relief where the record showed a good-faith error and prompt action to correct it); *Columbia Pools, Inc. v. Galvin*, 288 S.C. 59, 61, 339 S.E.2d 524, 525 (Ct. App. 1986) (recognizing a basis for relief where there was a good-faith mistake and no attempt to thwart the judicial process).

V. DISMISSAL IS NOT NECESSARY WHERE THE COURT CAN PERMIT CURE AND THE APPELLANT IS PROMPTLY RESPONDING.

Rule 260(a), SCACR, addresses dismissal for failure to comply with the appellate rules and also expressly recognizes reinstatement upon good cause shown. Here, dismissal has not yet been shown to be necessary because the Clerk's August 27 letter provides Appellant an opportunity to seek permission to order the transcript late. Appellant is using that opportunity promptly. Permitting cure is consistent with Rule 263(b)'s extension authority and allows the appeal to proceed without prejudice to Respondent.

VI. THE EQUITIES FAVOR A SHORT, CONTROLLED CURE RATHER THAN LOSS OF APPELLATE REVIEW.

The requested relief is narrow. Appellant is not requesting an indefinite suspension of the Rules. She asks only for permission to order the transcript after the ten-day period and to comply with the written-arrangement, service, and notification requirements now. Respondent retains the right to respond to the appeal and to participate in designation of the record. By contrast, dismissal would prevent appellate review based on a correctable procedural default even though Appellant has continued to pursue the case and is responding to the Clerk's notice within the cure period.

WHEREFORE

For the foregoing reasons, Appellant respectfully requests that the Court enter an Order:

- (1) Granting Appellant permission under Rules 207 and 263(b), SCACR, to order the transcript outside the original ten-day period;
- (2) Accepting Appellant's prompt late compliance with the transcript-ordering requirement upon submission of the written transcript request and satisfactory arrangements with the court reporter;
- (3) Allowing Appellant a reasonable period, including any period required by the court reporter under Rule 207, for preparation and delivery of the transcript;
- (4) Directing that the appeal not be dismissed for the Rule 207 transcript-ordering default while Appellant timely complies with the Court's order and the transcript process;
- (5) Allowing Appellant to supplement or complete the Record on Appeal with the transcript as permitted by Rules 209-212, SCACR; and
- (6) Granting such other and further relief as the Court deems just and proper.

Respectfully submitted,

The use of notary below is for identification only, and such use does NOT grant any jurisdiction to anyone.

Subscribed and sworn, without prejudice, and with all rights reserved.

Chalandra Ross

Principal, by Special Appearance, in Propria Persona, proceeding Sui Juris.

Chalandra Ross

Signature of Affiant

ACKNOWLEDGMENT

state of SOUTH CAROLINA

county of _____

On this _____ day of _____, 20____, before me

personally appeared _____, to me known to be the person described in
and who executed the foregoing instrument and acknowledged that he executed the same as his free act and
deed, for the purposes therein set forth.

(Notary Public)

My Commission Expires _____, 20____

ucc 1-207 1-308 1-103, 3-305, 3-306, 3-307

Witness1

David Trump

Witness2

David Trump

Chalandra Yvette Ross, Appellant, Pro Se

128 Sterling Lane

Saint Stephen, South Carolina 29479

Telephone: 854-216-2430

Email: Cherokee6287@gmail.com

Date: September 5 2026 9-5-2026

AFFIDAVIT / DECLARATION IN SUPPORT OF MOTION

I, Chalandra Yvette Ross, state as follows:

1. I am the Appellant in Appellate Case No. 2026-001530 and I am representing myself.
2. I have continued to pursue this appeal and have taken steps to correct prior filing deficiencies identified by the Clerk.
3. I received the Court of Appeals' letter dated August 27, 2026 advising me that the time for ordering the transcript had expired and directing me to seek permission from the Court if the transcript had not been timely ordered.
4. I am making this request promptly in response to that notice.
5. I need the transcript so the Court can review what occurred at the circuit-court hearing, including the matters addressed, the arguments and objections made, and the rulings of the court.
6. I am not seeking additional time for the purpose of delay. I am asking for permission to correct the transcript-ordering issue and continue the appeal in compliance with the Court's rules.
7. I will provide the court reporter, the parties, the Office of Court Administration, and the Clerk of the Court of Appeals with the correspondence required by Rule 207.

I declare that the foregoing is true and correct to the best of my knowledge and belief.



Chalandra Yvette Ross

Date: 9-5-2026 September 5

PROPOSED ORDER

Upon consideration of Appellant Chalandra Ross's Motion for Permission to Order Transcript Outside the Time Provided by Rule 207(a)(1), SCACR, and to Accept Late Compliance, and for good cause shown, the Motion is GRANTED.

Appellant is permitted to order the transcript outside the original Rule 207(a)(1) period. Appellant shall promptly make satisfactory written arrangements with the appropriate court reporter and shall contemporaneously provide the correspondence required by Rule 207 to all parties, the Office of Court Administration, and the Clerk of the Court of Appeals.

The appeal shall not be dismissed for the transcript-ordering default so long as Appellant complies with this Order and the applicable transcript procedures. The transcript may be included in the Record on Appeal in accordance with the South Carolina Appellate Court Rules.

IT IS SO ORDERED.

Judge, South Carolina Court of Appeals

Date: _____

EXHIBIT CHECKLIST

Exhibit A - August 27, 2026 letter from the South Carolina Court of Appeals concerning the Rule 207 transcript deadline.

Exhibit B - Copy of Appellant's written transcript request / SCCA Form 800 submitted to the court reporter.

Exhibit C - Any written acknowledgment from the court reporter, if received before filing.

Exhibit D - Proof that copies of the transcript correspondence were provided to Respondent, the Office of Court Administration, and the Clerk of the Court of Appeals.

IMPORTANT: Do not state that Exhibit B has been sent unless it has actually been sent. Rule 207 requires satisfactory written arrangements with the court reporter and contemporaneous copies to the required recipients.

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Chalandra Ross, Appellant

v.

Barbara McClennon, Respondent
Appellate Case No. 2026-001530

Chalandra Ross,
Appellant,

v.

Appellate Case No. 2026-001530

Barbara McClennon,
Respondent.

PROOF OF SERVICE

I, Chalandra Ross, Appellant, hereby certify that a true and correct copy of the following filing, together with all exhibits, affidavits, and supporting documents submitted with it, was served upon the Respondent:

1. Motion for Permission to Order Transcript Outside the Time Provided by Rule 207(a)(1), SCACR, and to Accept Late Compliance.

Service was made on the 5 day of September, 2026, by the method indicated below.

RESPONDENT SERVED

Barbara McClennon

Address: 1150 Mandella RD
Saint Stephens, SC 29477-3301

METHOD OF SERVICE

☒ United States First-Class Mail

☐ Certified Mail, Return Receipt Requested

Tracking Number: _____

☐ Commercial Delivery Service

☐ Hand Delivery

☐ Electronic Service (Email)

Email Address: _____

☐ Other: _____

I certify that the foregoing statements concerning service are true and correct to the best of my knowledge, information, and belief.

Executed this 9th day of September, 2026.

Respectfully submitted,

RECEIVED

SEP 09 2026

SC Court of Appeals

Chalandra Ross

Chalandra Ross, Appellant, Pro Se

128 Sterling Lane

Saint Stephen, South Carolina 29479

Telephone: 854-216-2430

Email: Cherokee6287@gmail.com

DO NOT BEND

TRAVIS SYTHNEY
(843) 609-0848
THE UPS STORE #8026
SUITE C-3
1317 NORTH MAIN STREET
SUMMERVILLE SC 29483-7342

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APPELLANT COURT
1220 SENATE ST

1 LBS 1 OF 1
BHD WT: 1 LBS
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SEP 09 2026
SC Court of Appeals

COLUMBIA SC 29201-3769



SC 292 9-11

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