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SC Court of Appeals

NOTICE OF APPEAL IN A CIVIL CASE
THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM RICHLAND COUT
Court of Common Pleas

Hon. Thomas W. McGee III, Circuit Court Judge

Hon. Daniel Coble, Circuit Court Judge

Case No. 2025-CP-40-08433

Appellate Case No. 2026-002064

Wendell Cooper, Appellant,

v.

South Carolina Human Affairs Commission, Respondent.

APPELLANT'S MOTION FOR PERMISSION TO ORDER TRANSCRIPT OUT OF TIME AND NOTICE OF TRANSCRIPT STATUS
Pursuant to Rules 207, 240, and 263, SCACR

October 21, 2026

Wendell Don Cooper, Pro Se
117 Palm Springs Way
Simpsonville, South Carolina 29681
Telephone: 864-230-7049
Appellant, Pro Se

Appellant Wendell Don Cooper, proceeding pro se, respectfully moves this Court for permission to order the transcript outside the time prescribed by Rule 207(a)(1), SCACR, to the extent such permission is required. Appellant further requests that the Court recognize the transcript-order documentation previously submitted, accept this filing as an additional report on the status of the transcript, and permit the appeal to proceed in accordance with the applicable appellate rules.

In support of this Motion, Appellant states as follows:

I. PROCEDURAL BACKGROUND

1. Appellant filed a Notice of Appeal seeking review of the orders entered in Richland County Court of Common Pleas Case No. 2025-CP-40-08433.

2. On October 13, 2026, the Clerk of the South Carolina Court of Appeals issued correspondence advising Appellant that his initial appellate brief was premature under Rule 208, SCACR.

3. The Clerk further directed Appellant to provide documentation concerning the ordering of the transcript and advised that, if the transcript had not been ordered within the time prescribed by Rule 207, Appellant must move for permission to order the transcript outside the prescribed deadline.

4. On October 16, 2026, Appellant received written correspondence from the South Carolina Office of Court Administration, through transcripts@sccourts.org, confirming receipt of his online transcript request relating to Richland County Case No. 2025-CP-40-08433.

5. That correspondence identified Transcript Request No. 180523321 and advised that a transcriptionist should contact Appellant within five business days to provide an estimated production cost.

6. Appellant has also submitted documentation to the Court advising that the transcript was ordered, accompanied by the corresponding email confirmation.

7. As of October 21, 2026, Appellant has not received the completed transcript.

8. Appellant recognizes that Rule 207(a)(1), SCACR, ordinarily requires the transcript in an appeal from the Court of Common Pleas to be ordered within ten days after service of the Notice of Appeal.

9. Because the presently available transcript-order confirmation does not independently establish compliance with that original deadline, Appellant respectfully seeks permission, to the extent necessary, for the transcript request to be accepted outside the prescribed period.

II. GROUNDS FOR REQUESTED RELIEF

10. Appellant has taken affirmative steps to obtain the transcript and has documentary confirmation from Court Administration that the online request was received.

11. Appellant has not abandoned the transcript request or his appeal. He seeks to obtain the transcript and comply with the procedural requirements governing appellate review.

12. The transcript concerns proceedings relevant to Appellant's challenge to the lower court's rulings. Its availability is important to Appellant's ability to prepare an accurate appellate record and address the issues presented for review.

13. The October 16 confirmation establishes that the request was received by Court Administration and that further communication concerning production cost was anticipated.

14. Appellant respectfully acknowledges the importance of Rule 207's deadlines and requests an opportunity to cure any deficiency in the timing or documentation of the transcript request.

15. Appellant submits this Motion in response to the Court's October 13 correspondence and before expiration of the October 23, 2026, deadline specified in that letter.

16. Appellant respectfully submits that allowing the transcript request to proceed, subject to appropriate conditions imposed by the Court, would facilitate consideration of the appeal under the ordinary appellate procedures.

17. Appellant does not seek to delay these proceedings unnecessarily and will promptly address further transcript-production arrangements and any additional documentation required by the Court.

III. MEMORANDUM OF AUTHORITIES

18. Rule 207(a)(1), SCACR, governs the ordering of transcripts and generally requires a transcript from the Court of Common Pleas to be ordered within ten days after service of the Notice of Appeal.

19. Rule 263(b), SCACR, authorizes the appellate court or an appellate judge to extend the time prescribed by the appellate rules for performing an act, except for the time for serving a Notice of Appeal under Rules 203 and 243.

20. Accordingly, the Court possesses authority to consider Appellant's request for an extension concerning the transcript-order requirement under Rule 207.

21. Rule 240, SCACR, governs motions submitted to the appellate court and provides the procedures for requesting relief.

22. Appellant respectfully invokes these provisions and requests that the Court exercise its discretion to allow the transcript request to proceed out of time, to the extent such relief is necessary.

23. Appellant further requests that the Court accept the October 16 correspondence and previously transmitted documentation as evidence of the status of the transcript request, without treating that acknowledgment as proof of an earlier ordering date.

24. Appellant has previously sought and states that he has received approval to proceed *in forma pauperis*. Appellant respectfully requests that the Court recognize and apply that approval to the present Motion. To the extent that a separate waiver of the motion filing fee is required, Appellant alternatively requests relief from that fee pursuant to Rule 240(d), SCACR, based upon his previously established financial circumstances and his need to preserve appellate review.

IV. REQUEST FOR RELIEF

WHEREFORE, Appellant Wendell Don Cooper respectfully requests that this Honorable Court:

A. GRANT Appellant permission, pursuant to Rules 207 and 263(b), SCACR, to order the transcript outside the originally prescribed period, to the extent such permission is required;

B. ACCEPT the October 16, 2026, confirmation from the South Carolina Office of Court Administration as documentation that Appellant's online transcript request was received;

C. RECOGNIZE Appellant's previously submitted notice and supporting email concerning the transcript request;

D. ACCEPT this Motion as an additional notice advising the Court of the present status of the transcript in response to the Clerk's October 13, 2026, correspondence;

E. PERMIT Appellant to complete any remaining arrangements necessary for transcript production and provide further documentation as directed by the Court;

F. REFRAIN FROM DISMISSING the appeal for the transcript-order deficiency while the Court considers the relief requested herein, and establish any appropriate additional deadline for compliance;

G. PERMIT Appellant to proceed with appellate briefing in accordance with Rule 208, SCACR, and any further scheduling instructions issued by the Court;

H. GRANT such other and further relief as this Court considers just and appropriate; and

I. RECOGNIZE AND APPLY Appellant's previously approved *in forma pauperis* status to this Motion, or, alternatively, waive the motion filing fee pursuant to Rule 240(d), SCACR.

Respectfully submitted,

/s/ Wendell Don Cooper

Wendell Don Cooper
Appellant, Pro Se
117 Palm Springs Way
Simpsonville, South Carolina 29681
Telephone: (864) 230-7049
Email: wendelldoncooper@yahoo.com

Date: October 21, 2026

CERTIFICATE OF SERVICE

I hereby certify that on October 21, 2026, I served a true and correct copy of the foregoing Appellant's Motion for Permission to Order Transcript Out of Time and Notice of Transcript Status, together with the supporting exhibits included with the filing, upon counsel for Respondent by depositing the same in the United States Mail, first-class postage prepaid, addressed as follows:

Angela Cothern, Esquire
Staff Counsel
South Carolina Human Affairs Commission
1026 Sumter Street, Suite 101
Columbia, South Carolina 29201

I further certify that any additional parties required to receive service have been served in accordance with Rule 262, SCACR, as reflected in any accompanying proof of service.

/s/ Wendell Don Cooper

Wendell Don Cooper
Appellant, Pro Se

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SUPPORTING EXHIBITS

Exhibit A — October 13, 2026, Court of Appeals Letter

Correspondence from the Clerk of the South Carolina Court of Appeals advising Appellant that his initial brief was premature and directing Appellant to provide transcript-order documentation or seek permission to order the transcript outside the prescribed period.

Exhibit B — October 16, 2026, Transcript Request Confirmation

Email correspondence from the South Carolina Office of Court Administration confirming receipt of the online transcript request in Richland County Case No. 2025-CP-40-08433, Transcript Request No. 180523321.