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February 6, 2014

The Honorable Jenny Kitchings
Clerk, South Carolina Court of Appeals
Post Office Box 11629
Columbia, South Carolina 29211

RE: Samuel L. McPherson, as Presiding Elder of the Abbeville-Greenwood District of the African Methodist Episcopal (A.M.E.) Church, Appellant-Respondent, v. Henry Banks, Mary Robinson, Delois Phillips, Naomi Mattison, and Frank Mattison, Respondents-Appellants. Case No: 2013-002236

Dear Ms. Kitchings:

As per instructions from your office on 2/5/14, I am enclosing a copy of the correspondence dated January 30, 2014 to you and copies of the emails between Maryann S. Nevers, Court Reporter and my office regarding ordering of transcripts in the above referenced matter.

I remain,

Sincerely,

A handwritten signature in black ink, appearing to read "RRW".

Randall R. Williams, Esquire
RRW/mre

Enclosure(s)

cc: Marvin Watson, Esquire
Desiree Allen, S.C. Court Administration
Maryann S. Nevers

RECEIVED

FEB 10 2014

SC Court of Appeals

Mary Elmore

From: Nevers, Maryann S. [mnevers@sccourts.org]
Sent: Friday, January 24, 2014 10:49 AM
To: Randall Williams
Subject: RE: 2011-CP-35-0034, McPherson v. Banks, et al.

Ms. Elmore, please refer to the Court Reporter Manual promulgated by the South Carolina Supreme Court, as approved August 16, 2011. Specifically, please note the following provision:

The court reporter shall transcribe and deliver all transcripts no later than 60 days after the date of the request unless an extension has been approved by Court Administration. (See § XIV (D), and Rule 607, SCACR (See Appendix 4). The due date will be determined by the date the court reporter receives the request. It is therefore recommended that the requestor's envelope showing the postmark be retained. In the case of court reporters who require advance payment, the due date will be 60 days after payment is received by the court reporter.

I received payment on December 16, 2013. Therefore, in accordance with the manual, the due date will be 60 days from December 16.

Please let me know if you have any further questions or require additional information.

Maryann S. Nevers, CVR-M-CM
Certified Verbatim Reporter - Master, Certificate of Merit Official Court Reporter Eighth
Judicial Circuit - At Large Post Office Box 90202 Columbia, SC 29290

mnevers@sccourts.org

From: Randall Williams [randall.williams@randallwilliamslaw.com]
Sent: Thursday, January 23, 2014 12:24 PM
To: Nevers, Maryann S.
Subject: RE: 2011-CP-35-0034, McPherson v. Banks, et al.

Dear Ms. Nevers:

After reviewing Rule 206 of the Appellate Procedure, it says "The court reporter shall transcribe and deliver the transcript to appellant no later than sixty (60) days after the date of the request. Records shall be transcribed by the court reporter in the order in which the requests for transcripts are made", (it does not say 60 days after receiving payment). I requested the transcript on November 5, 2013, it is my understanding the time may have expired. If I am in error, please advise.

Sincerely,

Mary Elmore

-----Original Message-----

From: Nevers, Maryann S. [mailto:mnevers@sccourts.org]
Sent: Tuesday, January 21, 2014 10:29 PM
To: Randall Williams
Subject: RE: 2011-CP-35-0034, McPherson v. Banks, et al.

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SC Court of Appeals

Please be advised that I received payment on December 16, 2013; therefore, the transcript will be due for deliver on or before 60 days from that date.

THANKS

Maryann S. Nevers, CVR-M-CM
Certified Verbatim Reporter - Master, Certificate of Merit Official Court Reporter Eighth
Judicial Circuit - At Large Post Office Box 90202 Columbia, SC 29290

mnevers@sccourts.org

From: Randall Williams [randall.williams@randallwilliamslaw.com]
Sent: Tuesday, January 21, 2014 12:02 PM
To: Nevers, Maryann S.
Subject: RE: 2011-CP-35-0034, McPherson v. Banks, et al.

Dear Ms. Nevers:

Please see the attached payment from the 7th Episcopal District regarding to the above referenced matter.

Thanks,

Mary

-----Original Message-----

From: Nevers, Maryann S. [<mailto:mnevers@sccourts.org>]
Sent: Tuesday, December 03, 2013 11:54 AM
To: randall.williams@randallwilliamslaw.com
Subject: 2011-CP-35-0034, McPherson v. Banks, et al.

Mr. Williams, I am in receipt of your request to prepare a transcript of the hearing in Greenwood before Judge Addy on September 5, 2013.

Please be advised that transcript fees are promulgated by SCACR Rule 607, which can be found at the following link:

<http://www.sccourts.org/courtReg/displayRule.cfm?ruleID=607.0&subRuleID=&ruleType=APP>

I estimate that the transcript will consist of approximately 25 pages. Therefore, I will require an advance deposit of \$81.25 to place your request in line for transcription, sent to me at the address listed below. If the final cost exceeds this amount, I will contact you for additional payment before the transcript is finalized. Similarly, if the final cost is less than the deposit amount, I will refund the overage to you.

Additionally, please further define your request in terms of transcript format (paper copy via U.S. Mail, electronic copy via e-mail, etc.), as there are additional fees for additional services as set forth in SCACR Rule 607(h)(1)(J).

In accordance with the court reporter manual approved by the Supreme Court of South Carolina, the due date will be determined by the date I receive your advance payment.

Please let me know if you have any questions or need additional information, and I will await your further advisement.

Maryann S. Nevers, CVR-M-CM

Certified Verbatim Reporter - Master, Certificate of Merit Official Court Reporter Eighth
Judicial Circuit - At Large Post Office Box 90202 Columbia, SC 29290

mnevers@sccourts.org<mailto:mnevers@sccourts.org>

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COPY

January 30, 2014

The Honorable Jenny Kitchings
Clerk, South Carolina Court of Appeals
Post Office Box 11629
Columbia, South Carolina 29211

RE: Samuel L. McPherson, as Presiding Elder of the Abbeville-Greenwood District of the African Methodist Episcopal (A.M.E.) Church, Appellant-Respondent, v. Henry Banks, Mary Robinson, Delois Phillips, Naomi Mattison, and Frank Mattison, Respondents-Appellants.

Dear Ms. Kitchings:

My office represents the Appellant-Respondent, Samuel L. McPherson in this matter. As you may be aware, this appeal involves two different hearings. The first hearing was a hearing held on May 22, 2013 involving cross-motions for summary judgment. The court reporter in that case was Jo Rice. The Trial Judge issued an Order for Summary Judgment dated June 27, 2013, but filed on July 22, 2014.

Thereafter, a second hearing was held on September 5, 2013 wherein the Appellant-Respondent made a Motion To Take Deposition Pending Appeal and Motion To Alter or Amend Judgment. The court reporter was Maryann S. Nevers. The Trial Judge issued an order dated September 6, 2013 Denying the Motion To Alter or Amend, but did not issue an Order regarding the Motion To Take Depositions. The order denying the Motion To Take Depositions Pending Appeal was later filed on September 24, 2013. Thereafter, I filed a motion to Alter or Amend the Judgment dated August 2, 2013 which was denied by order of the court dated September 6, 2013.

My office filed the appeal and put the various court reporters on notice by correspondences dated October 17, 2013. By correspondence dated October 31, 2013 the Clerk of the South Carolina Court of Appeals advised my office, unless otherwise agreed the entire transcripts must be requested. Subsequently, my office notified both court reporters by a second correspondence dated November 5, 2013 that the Appellant-Respondent requests the transcripts

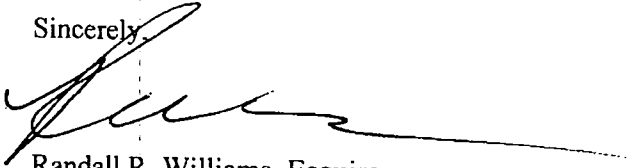
of the entire hearing. By electronic mail dated December 3, 2013 the second court reporter in the hearing dated September 5, 2013 advised that she would require advance payment before transcription of the hearing. Advance payment for transcription of the hearing dated September 5, 2013 was received by the court reporter as per her email on December 16, 2013. As such, the court reporter in the first hearing has by correspondence dated January 10, 2014 provided the transcripts from the Summary Judgment hearing to my office on January 13, 2014. However, the court reporter in the second hearing regarding my Motion To Take Depositions Pending Appeal and Motion To Alter or Amend Judgment has not provided the transcripts.

As such, I would request an extension of time to begin to run 30 days after receipt of the transcripts of the hearing dated September 5, 2013 so that I may include the second hearing in my Initial Brief and Designation of Matters to be included on the Record on Appeal.

Please return clock copy of motion and proof of service in the enclosed envelope provided for your convenience.

Thank you, I remain,

Sincerely,



Randall R. Williams, Esquire
RRW/mre

cc: Marvin Watson, Esquire

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

copy

APPEAL FROM MCCORMICK COUNTY
Court of Common Pleas

Judge Frank Addy, Jr, Circuit Court Judge

Case No. 2013-002236

Samuel L. McPherson, as Presiding Elder of the Abbeville-Greenville District of the African Methodist Episcopal (A.M.E.) Church,.....Appellant-Respondent,

v.

Henry Banks, Mary Robinson, Delois Phillips, Naomi Mattison, and Frank Mattison, Respondents-Appellants.

**MOTION FOR EXTENSION OF TIME IN WHICH TO FILE THE INITIAL BRIEF AND
DESIGNATION OF MATTERS TO BE INCLUDED IN THE RECORD ON APPEAL
APPELLANT-RESPONDENT**

Appellant-Respondent, by and through his undersigned counsel of record, hereby moves this Honorable Court for an extension of time in which to file the Initial Brief of Appellant-Respondent and Designation of Matter to be Included in the Record on Appeal for the following reasons: This appeal involves two hearings with two court reporters. The first hearing was held on May 22, 2013, involving cross-motions for summary judgment. A second hearing involving another court reporter was held on September 5, 2013, wherein the Appellant-Respondent made a Motion To Take Deposition Pending Appeal and a Motion To Alter or Amend the Judgment

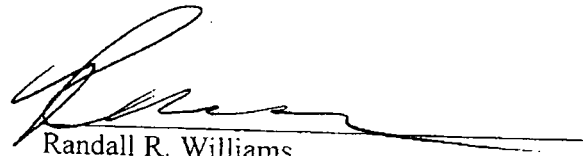
My office filed a Notice Of Appeal on October 16, 2013. Both court reporters were notified that Appellant-Respondent wanted a copy of the transcript of the respective hearings by correspondence dated October 17, 2013. By correspondence dated October 31, 2013 the Clerk of the South Carolina Court of Appeals advised my office, unless otherwise agreed, the entire transcripts must be requested. Subsequently, my office notified both court reporters by correspondence dated November 5, 2013 that the Appellant-Respondent requests the transcript of the entire hearing. By electronic mail dated December 3, 2013 the second court reporter in the hearing dated September 5, 2013 advised that she would require advance payment before transcription of the hearing. Advance payment for transcription of the hearing dated September 5, 2013 was received on December 16, 2013 by the court reporter as per her email on January 21, 2014.

The Appellant-Respondent received a copy of the transcripts from the first court reporter regarding the hearing of May 22, 2013 on January 13, 2014. Accordingly, the Initial Brief and Designation of Matter to be included in the Record on Appeal are due on February 12, 2014.

The second court reporter regarding the hearing of September 5, 2013, advised by electronic mail dated January 24, 2014 that her due date to provide the transcripts of the hearing, did not begin to run until December 16, 2013 and therefore the due date would be 60 days from receipt of payment which is February 14, 2014. Accordingly, the Appellant-Respondent requests an extension of time to file his Initial Brief and Designation of Matter To Be Included in The Record On Appeal so that the undersigned can fully review the September 5, 2013 transcripts with the Appellant-Respondent and prepare fully before filing the Initial Brief and Designation of Matters to be included in the Record on Appeal.

This request is made in good faith, is not meant for the purpose of delay and is the first request for an extension.

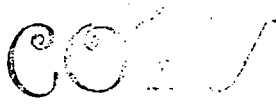
Therefore, the Appellant-Respondent, by and through his undersigned counsel of record, respectfully requests an extension of time to file the Initial Brief of Appellant-Respondent and Designation of Matter to be Included in Record on Appeal, to begin to run 30 days from receipt of the transcripts of the hearing dated September 5, 2013.



Randall R. Williams
P.O. Box 3461
Greenwood, SC 29648
(864) 227-9156
Attorney for Appellant-Respondent

Greenwood, South Carolina
January 30, 2014

THE STATE OF SOUTH CAROLINA
In The Court of Appeals



APPEAL FROM MCCORMICK COUNTY
Court of Common Pleas

Frank R. Addy, Jr., Circuit Court Judge

Case No. 2013-002236

Samuel L. McPherson, as Presiding Elder of the Abbeville-Greenwood District of the
African Methodist Episcopal (A.M.E.) Church.....Appellant-Respondent

v.

Henry Banks, Mary Robinson, Delois Phillips, Naomi Mattison, and Frank Mattison
.....Respondents-Appellants

PROOF OF SERVICE

I certify that I have served the Motion For Extension of Time to File the Initial Brief and Designation of Matters on Henry Banks, Mary Robinson, Delois Phillips, Naomi Mattison, and Frank Mattison by depositing a copy of it in the United States Mail, postage prepaid, on January 30, 2014, addressed to their attorney of record, Marvin Watson at 333 Main Street, P.O. Box 799, Greenwood, South Carolina, 29648.

January 30, 2014

Randall R. Williams
Post Office Box 3461
Greenwood, South Carolina 29646
(864) 227-9156
Attorney for Appellant-Respondent

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The Honorable Jenny Kitchings
Clerk, South Carolina Court of Appeals
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