

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

71747

APPEAL FROM GREENVILLE COUNTY
Edward W. Miller, Circuit Court Judge

Jerry A. Bruce, Respondent

v.

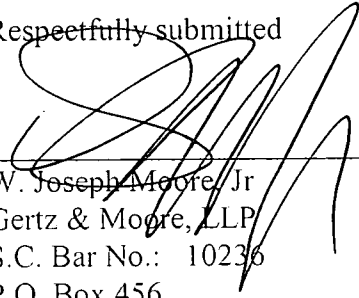
Flint Equipment Co., Appellant

Appellate Case No.: 2013-002435

NOTICE OF MOTION AND MOTION TO REINSTATE APPEAL
Pursuant to Rule 260(a) SCACR

PLEASE TAKE NOTICE that the undersigned counsel for the Appellant, hereby moves the Court for an Order, pursuant to Rule 260(a) , SCACR, reinstating the above captioned matter on the grounds that the Court Reporter has not provided the requested transcripts of the hearing before the lower court and therefore the Appellant has been unable to prepare the Appellant's initial brief and designation of matter to be included in the record on appeal. The Appellant timely ordered the transcript and made payment to the Court Reporter of the estimated costs of the transcript, as evidenced by the copies of the correspondence and canceled check attached hereto and incorporated herein by references as Exhibits A, B and C..

Respectfully submitted



W. Joseph Moore, Jr
Gertz & Moore, LLP
S.C. Bar No.: 10236
P.O. Box 456
Columbia, SC 29202
(803) 252-1524
Attorneys for the Appellant

March 27, 2014

RECEIVED
MAR 31 2014
SC Court of Appeals

Gertz & Moore, LLP
Attorneys and Counselors at Law
1416 Laurel Street (29201)
Post Office Box 456
Columbia, South Carolina 29202

Frederick A. Gertz
(S.C., N.Y. & Ga)
W. Joseph Moore, Jr.

Phong T. Nguyen

November 12, 2013

Telephone (803) 252-1524
Telecopier (803) 799-6946

Alice S. Moore
1946 - 2012

Caroline Hiskell
32 Duxbury Lane
Easley, SC 29642

RE: John Deere Financial f.s.b., Plaintiff vs. Jerry A. Bruce, Defendant/Third-Party Plaintiff vs. Flint Equipment Co., Third-Party Defendant
Jerry A. Bruce, Respondent vs. Flint Equipment Co., Appellant
Civil Action No.: 2011-CP-23-7943

Dear Ms. Hiskell:

On July 10, 2013, the above case came before the Honorable Edward W. Miller in the Court of Common Pleas for Greenville County for (1) a hearing on the Motion of Flint Equipment Co. to Set Aside the Default and for Leave to File Answer and (2) for a damages hearing. My records indicate that you were the court reporter for these hearings.

I request that you provide me with a transcript of these hearings. Please transcribe the entire record.

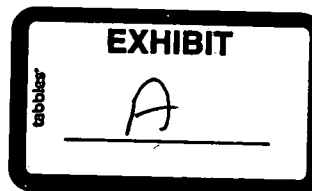
I agree to pay the per page charge for this transcript as provided by Rule 607, SCACR.

Thanking you in advance for your considerate attention to this matter, I am

Sincerely,

W. Joseph Moore, Jr.

cc: O. W. Bannister, Esquire
Craig H. Allen, Esquire
S.C. Court Administration
Clerk, S.C. Court of Appeals



Caroline Hiskell
Thirteenth Circuit Court Reporter
32 Duxbury Lane
Easley, South Carolina 29642

November 16, 2013

TO: Gertz & Moore, LLP
1416 Laurel Street
Columbia, SC 29202

RE: John deere Financial vs. Flint Equipment
Case No. 2012GS2310128A

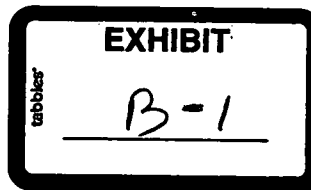
Dear Mr. Moore,

I am in receipt of your letter requesting the above-referenced transcript . I have reviewed my records and estimate that your transcript will be approximately 30 pages. Based on the current rate of \$3.25 per page, the cost will be \$97.50 under our rules, I have 60 days in which to complete the transcript.

Upon receipt of a company check or postal money order (no personal checks, please) for \$97.50, the 60 will begin. If I have under estimated the number of pages, you will be notified prior to delivery of the transcript of the balance due. If I have over estimated the number of pages you will be refunded the overpayment.

In the event I need an extension of time to complete the transcript, I will request an extension from Court Administration. You will be notified if the extension is granted.

Sincerely,
Caroline Hiskell
Official Court Reporter



Gertz & Moore, LLP
Attorneys and Counselors at Law
1416 Laurel Street (29201)
Post Office Box 456
Columbia, South Carolina 29202

Frederick A. Gertz
(S.C., N.Y. & Ga)
W. Joseph Moore, Jr.

Phong T. Nguyen

Telephone (803) 252-1524
Telecopier (803) 799-6946

December 12, 2013

Alice S. Moore
1946 - 2012

Caroline Hiskell
32 Duxbury Lane
Easley, SC 29642

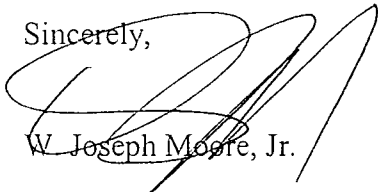
RE: John Deere Financial f.s.b., Plaintiff vs. Jerry A. Bruce, Defendant\Third-Party Plaintiff vs. Flint Equipment Co., Third-Party Defendant
Jerry A. Bruce, Respondent vs. Flint Equipment Co., Appellant
Civil Action No.: 2011-CP-23-7943

Dear Ms. Hiskell:

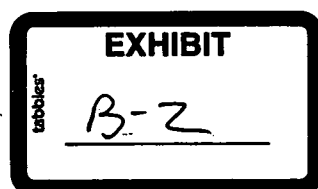
Enclosed please find our check in the amount of \$97.50 representing your estimated costs for the transcript in the above referenced matter.


Thanking you in advance for your considerate attention to this matter, I
am

Sincerely,


W. Joseph Moore, Jr.

cc: O. W. Bannister, Esquire
Craig H. Allen, Esquire
S.C. Court Administration
Clerk, S.C. Court of Appeals




GERTZ & MOORE LLP
CLIENT ADVANCE ACCOUNT
 1118 LAUREL ST.
 COLUMBIA, SC 29202
 PHS 803-25-1174

1181
 DATE
 12/10/2013

PAY TO THE ORDER OF CAROLINE HASKELL \$ 97.50
 DOLLARS

Tenety-Seven and 50/100

Caroline Haskell, Court Reporter
 22 Dextery Lane
 Easley, SC 29642


MEMO
 TRANSCRIPT - Invol. v. Pm 2011-04-03-TRG

MICR: 499900071418385002554P #1894004

MICR: 0001178P #05320098304470006254P

Original Records
 DEC 10 2013

12/16/2013 - 1178 - \$12.00


GERTZ & MOORE LLP
CLIENT ADVANCE ACCOUNT
 1118 LAUREL ST.
 COLUMBIA, SC 29202
 PHS 803-25-1174

1181
 DATE
 12/18/2013

PAY TO THE ORDER OF CAROLINE HASKELL \$ 97.50
 DOLLARS

Tenety-Seven and 50/100

Caroline Haskell, Court Reporter
 22 Dextery Lane
 Easley, SC 29642

MEMO
 TRANSCRIPT - Invol. v. Pm 2011-04-03-TRG

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MICR: 0001178P #05320098304470006254P

12/18/2013 - 1181 - \$97.50

EXHIBIT
B-3

Gertz & Moore, LLP
Attorneys and Counselors at Law
1416 Laurel Street (29201)
Post Office Box 456
Columbia, South Carolina 29202

Frederick A. Gertz
(S.C., N.Y. & Ga)
W. Joseph Moore, Jr.

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Telecopier (803) 799-6946

March 17, 2014

Alice S. Moore
1946 - 2012

Phong T. Nguyen

Caroline Hiskell
32 Duxbury Lane
Easley, SC 29642

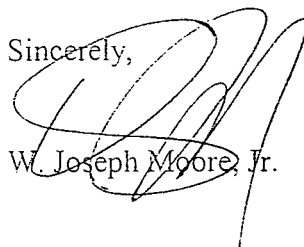
RE: John Deere Financial f.s.b., Plaintiff vs. Jerry A. Bruce, Defendant\Third-Party Plaintiff vs. Flint Equipment Co., Third-Party Defendant
Jerry A. Bruce, Respondent vs. Flint Equipment Co., Appellant
Civil Action No.: 2011-CP-23-7943

Dear Ms. Hiskell:

I am writing to inquire as to the status of the transcript of the hearings in the above referenced matter. My records indicate that pursuant to your request we forwarded a check to you on December 12, 2013 in the amount of \$97.50 representing your estimated costs for the transcript. As of the date of this letter we have not received the transcript as requested.

Thanking you in advance for your considerate attention to this matter, I am

Sincerely,



W. Joseph Moore, Jr.

cc: O. W. Bannister, Esquire
Craig H. Allen, Esquire
S.C. Court Administration
Clerk, S.C. Court of Appeals



THE STATE OF SOUTH CAROLINA

In The Court of Appeals

APPEAL FROM GREENVILLE COUNTY

Edward W. Miller, Circuit Court Judge

Jerry A. Bruce, Defendant\Third-Party Plaintiff.....Respondent

vs.

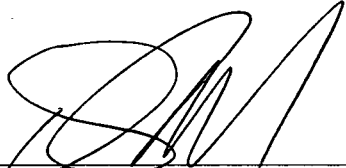
Flint Equipment Co, Third Party Defendant.....Appellant

Appellate Case No.: 2013-002435

PROOF OF SERVICE

I certify that I have served the Notice of Motion and Motion to Reinstate Appeal, Pursuant to Rule 260(a) SCACR, on Respondent by depositing a copy of it in the United States Mail, postage prepaid, on March 27, 2014, addressed to his attorney of record, O.W. Bannister, at his office at P.O. Box 10007, Greenville, SC 29603.

March 27, 2014



W. Joseph Moore, Jr.
Gertz and Moore, LLP
1416 Laurel Street
P.O. Box 456

Columbia, SC 29202

(803) 252-1524 Phone

(803) 799-6946 Fax

Attorneys for the Appellant

RECEIVED

MAR 31 2014

SC Court of Appeals