

THE STATE OF SOUTH CAROLINA
In The Supreme Court

APPEAL FROM SUMTER COUNTY
The Honorable W. Jeffrey Young, Circuit Court Judge

Appellate Case No. 2014-001508

Regina M. Hunter.....Appellant.

v.

Sammie Taylor.....Respondent.

AFFIDAVIT

Regarding January 8, 2013 Hearing & Transcript Omission

Regina M. Hunter
3390 Highway 261 North
Rembert, SC 29128-8540
(803) 883-0600
reginahunter@ftc-i.net
Appellant, Pro-Se

Counsel of Record, Attorney for Respondent
Dwight C. Moore, Esquire
Moore Law Firm
26 North Main Street
P.O. Box 1229
Sumter, SC 29151-1229
(803) 778-6520

South Carolina Government Sumter County
Johnathan W. Bryan, County Attorney
Administration Building
13 East Canal Street
Sumter, SC 29150-4925
(803) 774-3877

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SC Court of Appeals

AFFIDAVIT

Regarding January 8, 2013 Hearing & Transcript Omission

I, Regina M. Hunter, Appellant, hereby affirm the following statement:

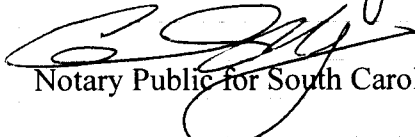
- 1) I filed a Notice of Civil Appeal from the Sumter County Summary Court with the Sumter County Court of Common Pleas on Friday, October 5, 2012 pursuant to Rule 18 SCMCR (b), and Rule 3 SCRCF. The Sumter County Clerk of Court errantly recorded the filing as October 8, 2012.
- 2) I paid the \$150 filing fee by cash on Friday, October 5, 2012, but it was record by the Sumter County deputy clerk as October 8, 2012, on receipt # 37606 by Clerk: c43syow.
- 3) I served the Defendant, Sammie Taylor by U.S.P.S. Certified Mail with Return Receipt. The Article Number is #7007 2560 0000 7147 4284 and is still traceable at usps.com.
- 4) I served the Summary Court by U.S.P.S. Certified Mail with Return Receipt. The Article Number is #7007 2560 0000 7151 1224 and is till traceable at usps.com
- 5) I filed two Affidavits of Mailing with the Clerk of the Circuit Court on October 18, 2013.
- 6) I did not receive any notice from the Sumter County Clerk of Court of any definite extension of time for the Magistrate to file her return. According to Rule 18 (b) SCMCR, within 30 days of the date of filing of the notice of appeal, the Magistrate is required to file a “return to the notice of appeal with the Clerk of the Circuit Court for the county wherein the judgment was rendered, together with the record, a statement of all proceedings in the case, and, if necessary, the testimony taken at trial.” The Magistrate’s return was not filed until January 4, 2013.
- 7) I have not received written notice from Sumter County Clerk of Court that the Magistrate filed a return. According to Rule 18 (c) SCMCR, “Pursuant to Rule 75, SCRCF, upon

receipt of the magistrate's return, the clerk of the Circuit Court to which the appeal is taken shall give notice in writing to the parties that the return has been filed.”

- 8) The Defendant did not file or serve an Answer to the Summons and Complaint filed with the Sumter County Clerk of Court on October 8, 2012 within 30 days after service pursuant to Rule 12 (a) SCRCF.
- 9) The Defendant’s Counsel of Record, Dwight C. Moore, Moore Law Firm, LLC did not file or serve an Answer to the Summons and Complaint within 30 days after service pursuant to Rule 12 (a) SCRCF.
- 10) A hearing was scheduled and held on January 8, 2013 in the matter of *Regina M. Hunter v. Sammie Taylor* at the Sumter County Court of Common Pleas (Case No. 2012-CP-4301965), then located at 141 N. Harvin Street, Sumter, SC 29150, Room 308.
- 11) The presiding judge was The Honorable George C. James, then the Chief Judge for Administrative Purposes for the Third Circuit.
- 12) I, Regina M. Hunter, was present at the hearing held on January 8, 2013.
- 13) The Defendant, Sammie Taylor was not present at the hearing held on January 8, 2013.
- 14) The Defendant’s Counsel of Record, Dwight C. Moore, Moore Law Firm, LLC was not present at the hearing held on January 8, 2013.
- 15) The Deputy Clerk of Court, Sherry Yow admitted in open court that she failed to mail the scheduling notice to the Defendant or the Counsel of Record.
- 16) I, Regina M. Hunter, did move, in open court, for Default Judgment at the hearing held on January 8, 2013 before the Honorable George C. James at the January 8, 2013 trial in the matter of *Regina M. Hunter v. Sammie Taylor* at the Sumter County Court of Common Pleas (Case No. 2012-CP-4301965).

17) The Court Reporter present, Mrs. Melissa R. Singletary (CVCR), did not record this motion in a transcript or her letter dated May 13, 2014, in response to the Appellant's transcript request. The Court Reporter manual¹ states in section XIV (J) [Motions and Objections During Trial] "*When requested, a motion or an objection must be included as part of the transcript.*"

Regina M. Hunter
 3390 Highway 261 North
 Rembert, S.C. 29128
 (803) 883-0600

Sworn to before me,
 this 6th day of August, 2014

 Notary Public for South Carolina
 My Commission expires 7/15/2024



Regina M. Hunter
 Appellant (Pro-Se)

August 6, 2014
 10, Shawwal 1435 A.H.

CHARLES A CHRISTY
 Notary Public - State of South Carolina
 My Commission Expires July 15, 2024

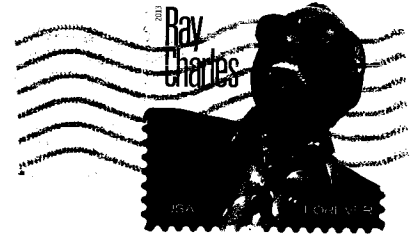
Cc:

1. The Honorable Brenda F. Shealy, Deputy Clerk, Supreme Court of South Carolina
2. The Honorable Jenny A. Kitchings, Clerk, South Carolina Court of Appeals
3. The Honorable James C. Campbell, Clerk of Court, Sumter County Judicial Center
4. The Honorable Kristi F. Curtis, Chief Magistrate/Judge, Sumter County Summary Court
5. Mr. Dwight C. Moore, Moore Law Firm (Counsel of Record, Respondent)
6. Mr. Johnathan W. Bryan, Sumter County Attorney, South Carolina Government
7. Mrs. Desiree Allen, Court Reporter Manger, S.C. Court Administration
8. Mrs. Melissa R. Singletary, CVCR, Third Circuit Court Reporter

¹ As approved by the South Carolina Court Administration August 16, 2011

Mrs. Regina M. Hunter
Hunter Estate
3390 Highway 261 North
Rembert, SC 29128

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SC Court of Appeals



The Honorable Jenny A. Kitchings, Clerk
South Carolina Court of Appeals
P.O. Box 11629
Columbia, S.C. 29211

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