

# Nelson Mullins

## Nelson Mullins Riley & Scarborough LLP

Attorneys and Counselors at Law  
1320 Main Street / 17th Floor / Columbia, SC 29201  
Tel: 803.799.2000 Fax: 803.255.9024  
www.nelsonmullins.com

Michael J. Anzelmo  
Tel: 803.255.9312  
Fax: 803.255.9024  
michael.anzelmo@nelsonmullins.com

August 20, 2014

### Hand Delivered

The Honorable Jenny Abbott Kitchings  
Clerk of Court  
SC Court of Appeals  
1015 Sumter Street - 5th Floor  
Columbia, SC 29201

**RECEIVED**

AUG 20 2014

**SC Court of Appeals**

RE: Wells Fargo Bank, N.A. v. Dorothy Sistrunk  
Wells Fargo Matter #: 0362522-01  
Case No.: 08-CP-38-1024  
Appellate Case No. 2014-001683  
NMRS File No.: 10275/01528

Ms. Kitchings,

By letter to this Court dated August 18, 2014, Appellant Dorothy Sistrunk advised that she would not order any transcripts for this appeal. The trial court conducted a hearing on September 3, 2013 on Respondent Wells Fargo's motion for partial summary judgment on Appellant's counterclaims. A court reporter transcribed that hearing. No hearing was conducted prior to the trial court denying the Appellant's Motion for a New Trial pursuant to Rules 38(a)-(d), 59(a)(2), and 60(b)(1) or the Appellant's Motion to Vacate Partial Summary Judgment pursuant to Rule 60(b).

Appellant's Notice of Appeal includes an appeal of her "Motion for a New Trial . . . Pursuant to Rule 59(a)(2). . ." of the trial court's grant of partial summary judgment to Respondent Wells Fargo as to Appellant's counterclaims. The Notice of Appeal, however, makes no reference to the order granting the partial summary judgment and does not attach that order.

Wells Fargo is unable to determine whether Appellant intended to appeal the order granting partial summary judgment. If she did, Wells Fargo will need the September 13, 2013, transcript of the hearing on the motion for partial summary judgment included in the Record on Appeal.

Columbia, SC 29201

August 20, 2014

Page 2

Wells Fargo requests that this Court require Appellant to confirm whether she intended her appeal to include the order granting partial summary judgment so that Wells Fargo can proceed as appropriate in this appeal.

Very truly yours,

A handwritten signature in black ink, appearing to read "Michael J. Anzelmo". The signature is stylized with several loops and a long horizontal stroke extending to the right.

Michael J. Anzelmo

MJA:jbl

cc: Ms. Dorothy Sistrunk