

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM YORK COUNTY
CIRCUIT COURT

John C. Hayes, III, Circuit Court Judge

Cases No. 2009-CP-46-01244

RECEIVED

OCT 23 2014

SC Court of Appeals

Phil Vasey and Pamela Vasey, Appellants,

v.

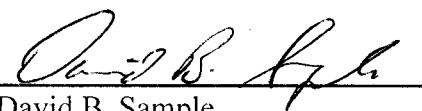
Colton Builders, LLC, Respondent.

RETURN TO MOTION

In response to the Respondent's Motion to Dismiss dated October 9, 2014, the undersigned hereby certifies that he instructed his office staff to order the transcript at the time the appeal was filed, and has been assured that a request was sent. No copy of the request has been located by the undersigned's office staff. However, on August 21, 2014, the undersigned sent a second request to the court reporter, and subsequently paid the invoice for the transcript, which has still not been received.

Furthermore, the Appellant submits that the issue of the ordering of the transcript has been considered by the Court and ruled upon in the order filed on September 26, 2014 in which the Court reinstated the appeal based upon Appellant providing evidence of having properly ordered the transcript.

October 20, 2014


David B. Sample
1506 Ebenezer Road
Rock Hill, South Carolina 29732
(803) 981-9000
Attorney for Appellant

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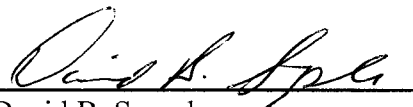
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CERTIFICATE OF SERVICE

I certify that I have served the Return to Motion by depositing a copy of it in the United States Mail, postage prepaid, on October 20, 2014, addressed to the Respondent's attorney of record, F. Craig Wilkerson, Jr., 1050 College Avenue Extension, Rock Hill, SC 29732.



David B. Sample
1506 Ebenezer Road
Rock Hill, South Carolina 29732
(803) 981-9900
Attorney for Appellant

DAVID B. SAMPLE
Attorney at Law

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SC Court of Appeals

October 20, 2014

South Carolina Court of Appeals
Attention: Clerk of Court
Post Office 11629
Columbia, South Carolina 29211

Re: Phil Vasey and Pamela Vasey v. Colton Builders, LLC
Case No.: 09-CP-46-01244

Dear Sir or Madam:

Enclosed herewith, please find an original and seven (7) copies of the Return to Motion and Certificate of Service in the above-referenced matter. Please file in your office and return a filed copy to me the self-addressed stamped envelope provided for your convenience.

Should you have any questions or require further information, please do not hesitate to contact me.

With kind regards, I am,

Sincerely,



David B. Sample

DBS/tdb
Enclosures
cc: E. Craig Wilkerson, Jr., Esq.

David B. Sample
Attorney at Law
1506 Ebenezer Road
Rock Hill, SC 29732



South Carolina Court of Appeals
Attention: Clerk of Court
Post Office 11629
Columbia, South Carolina 29211

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