

RECEIVED

DEC 19 2014

S.C. Supreme Court

THE STATE OF SOUTH CAROLINA
In the Supreme Court

APPEAL FROM FLORENCE COUNTY
Court of Common Pleas

D. Craig Brown, Circuit Court Judge

CASE NO. 2011-CP-21-2095

CARMICHAEL T. FLOWERSAppellant

vs.

WILLIAM K. BOONE, CAPTAIN J. BRONSON,
LEAH HARRIS, JOSEPH D. THOMPSON
AND ANN AND/OR JOHN DOERespondents

**DOCUMENTS TO BE
INCLUDED IN APPENDIX**

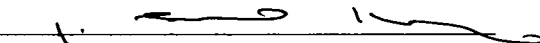
Respondents propose that the following to be included in the Appendix:

1. Respondents' Motion to Dismiss
Correspondence from Petitioner dated September 11, 2013
Correspondence from Respondents dated September 16, 2013
Correspondence from Petitioner dated September 19, 2013
Correspondence from Court of Appeals dated October 28, 2013
Correspondence from Respondents dated October 29, 2013
Correspondence from Court of Appeals dated November 20, 2013
Hargrove Affidavit
2. Petitioner's Objections to Motion to Dismiss dated January 31, 2014
3. Order dated May 14, 2014
4. Correspondence from Petitioner dated June 19, 2014
5. Order dated June 30, 2014

6. Petition for Rehearing and Affidavit dated July 7, 2014
7. Amended Petition for Rehearing dated July 10, 2014
8. ... Respondents' Return to Petition and/or Motion for Rehearing dated July 18, 2014
9. Reply to Respondents' Return to Petition for Rehearing dated July 24, 2014
10. Order dated October 20, 2014

I certify that this designation contains no matter which is irrelevant to this appeal.

WILLCOX, BUYCK & WILLIAMS, P.A.

By: 
J. Scott Kozacki
S.C. Bar No. 64137
PO Box 1909
Florence, SC 29503-1909
(843) 662-3258 Telephone
Attorney for Respondents

December 18, 2014
Florence, South Carolina

THE STATE OF SOUTH CAROLINA
In the Supreme Court

APPEAL FROM FLORENCE COUNTY
Court of Common Pleas

D. Craig Brown, Circuit Court Judge

CASE NO. 2011-CP-21-2095

CARMICHAEL T. FLOWERSAppellant

vs.

WILLIAM K. BOONE, CAPTAIN J. BRONSON,
LEAH HARRIS, JOSEPH D. THOMPSON
AND ANN AND/OR JOHN DOERespondents

PROOF OF SERVICE

PERSONALLY appeared before me, J. Scott Kozacki, who being duly sworn, deposes and says that he has served the **Respondents' Documents to be Included in the Appendix** on the Appellant, by depositing a copy of same in the United States Mail, postage prepaid, to:

Carmichael T. Flowers #335945
Ridgeland Correctional Institution
Post Office Box 2039, SB36
Ridgeland, SC 29936

DATE OF MAILING: December 18, 2014


By: 
J. Scott Kozacki
WILLCOX, BUYCK & WILLIAMS, P.A.
PO Box 1909
Florence, SC 29503-1909
(843) 662-3258 Telephone
Attorney for Respondents

Exhibit 1

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM FLORENCE COUNTY
Court of Common Pleas

D. Craig Brown, Circuit Court Judge

CASE NO. 2011-CP-21-2095

RECEIVED

JAN 31 2014

SC Court of Appeals

CARMICHAEL T. FLOWERSAppellant

vs.

WILLIAM K. BOONE, CAPTAIN J. BRONSON,
LEAH HARRIS, JOSEPH D. THOMPSON
AND ANN AND/OR JOHN DOERespondents

MOTION TO DISMISS

Respondents, by and through the undersigned attorney, hereby move that the instant Appeal be dismissed pursuant to SCACR, Rule 260.

On or about September 11, 2013, Appellant informed Respondents that he “decided not to order the transcript, pursuant to Rule 207 (SCACR)” and asked Respondents to agree to same (Exhibit A). Rather than awaiting for a response from Respondents, the Appellant instead chose to file his Initial Brief on or about the same date, without the transcript.

On or about September 16, 2013, Respondents informed Appellant that they were unable to consent because “without the requested transcript ... the Record on Appeal [would] not be complete” (Exhibit B). Respondent sent a copy of same to the Clerk of Court. In

response, Appellant requested the transcript (Exhibit C).

Without an Order from the Court and since the Clerk of Court improperly accepted, filed and/or did not return Appellant's Initial Brief, Respondents were required to file their Initial Brief within thirty (30) days after the Appellant's Initial Brief pursuant to Rule 208 SCACR, which they did on or about October 11, 2013, albeit without the transcript having been filed. Respondents asserted in their Brief and continue to assert that the record in this case is incomplete, judicial review is impossible, and the instant Appeal must be dismissed, due to Appellant's continued failure to comply with Rule 207 SCACR.

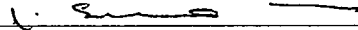
On or about October 22, 2013, the Clerk of Court contacted Respondents' office via telephone and asked if Respondents wanted to proceed without the transcript (Hargrove Aff. ¶ 3). Respondents' office again informed the Clerk of Court that it was Respondents' position that the transcript was necessary and the record was incomplete (Hargrove Aff. ¶ 4). Respondents' referred to their Brief and stated that the filing of the Brief in no way implied agreement that the record was complete and the appeal was ready to be heard (Hargrove Aff. ¶ 6). To the contrary, Respondents' Initial Brief even stated that the record was incomplete. The Clerk of Court's office then stated that they would return all briefs with letters stating that the briefs were premature because the transcript had not been received (Hargrove Aff. ¶ 7).

However, on October 28, 2013, the Clerk of Court forwarded a letter that stated that even though the transcript had not been received, both parties had filed their brief and "the Court can only presume that the transcript previously ordered by the appellant is no longer needed" (Exhibit D). Respondents immediately replied to their correspondence and stated

that the transcript remains “necessary for judicial review” and requested that they reconsider (Exhibit E). In response thereto, on or about November 20, 2013, the Clerk of Court instructed Respondent to direct all requests to the Court “in the form of a motion” (Exhibit F). The instant motion follows.

Pursuant to Rule 260 (a), SCACR, “whenever it appears that an appellant or a petitioner has failed to comply with the requirements of these Rules, the clerk shall issue an order of dismissal.” To date, Respondents have not received a copy of the transcript as required by Rule 207 SCACR. The record remains incomplete, judicial review is impossible, and the instant Appeal must be dismissed. Wherefore, Respondents move to dismiss the instant Appeal in its entirety.

WILLCOX, BUYCK & WILLIAMS, P.A.

By: 
J. Scott Kozacki
S.C. Bar No. 64137
PO Box 1909
Florence, SC 29503-1909
(843) 662-3258 Telephone
Attorney for Respondents

January 29, 2014
Florence, South Carolina

SEPT. 11, 13

Mr. Carmichael T. Flowers
Agency # 335945, EVANS CI
110 HINY # 9 WEST, FB-141A
Bennettsville, SC. 29512

J. Scott Kozacki, ESO.
P.O. Box 1909
Florence, S.C. 29503

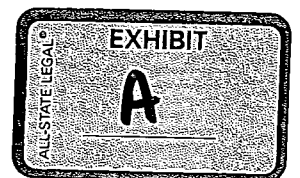
RE: TRANSCRIPT / CASE NO. # 2013-000823

Mr. Kozacki,

I've decided NOT TO ORDER THE TRANSCRIPT, pursuant
to Rule 207, (SCACR) I'm TO ASK IF you would agree
to ~~the~~ same?

Carmichael Flowers

cc Appellate Court
cc S.C. Court Administration



Mark W. Buyck, Jr.
Hugh L. Willcox, Jr.
Wm. Reynolds Williams♦
Mark W. Buyck, III
E. Lloyd Willcox, II
John H. Muench † GA & KY
Tracy L. Wright
Jennifer Mullins † NC
J. Scott Kozacki
Walker H. Willcox

† Additionally Licensed
♦ Certified Mediator

LAW OFFICES
WILLCOX, BUYCK, & WILLIAMS
PROFESSIONAL ASSOCIATION
www.WillcoxLaw.com
248 West Evans Street (29501)
Post Office Box 1909
Florence, South Carolina 29503-1909

ESTABLISHED 1895

Telephone (843) 662-3258
Fax (843) 662-1342

2050 Corporate Centre Dr
Suite 230
Myrtle Beach, SC 29577
Telephone (843) 650-6777
Fax (843) 650-6767

Reply To: Florence

September 16, 2013

Carmichael Flowers, Inmate No. 335945
Evans Correctional Institution
610 Highway # 9, West
Bennettsville, SC 29512

Re: Flowers v. William K. Boone, et al.
Appellate Case No: 2013-000823
Our File No: 10197.15448

COPY

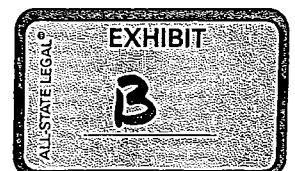
Dear Mr. Flowers:

Please be advised that I am in receipt of your most recent correspondence dated September 11, 2013. In response thereto, I am unable to agree to your request that you not be required to obtain and file the transcript of the underlying proceedings in the above-referenced case. Unfortunately, without the requested transcript in this case, the Record on Appeal will not be complete. As required, I request that you timely and properly provide the appellate court with the required transcript.

With kindest regards,

J. Scott Kozacki

cc: South Carolina Court of Appeals
c/o Clerk Jenny Abbott Kitchings
Post Office Box 11629
Columbia, SC 29211



SEPT. 19.13

Mr. Carmichael T. Flowers
Agency # 335945 / EVANS C.I.
610 HWY # 9 WEST, FI-B-141A
Bennettsville, SC 29512

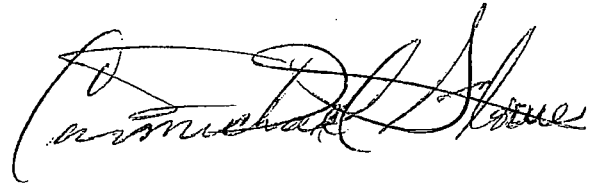
Ms. Crystal M. Holmes
P.O. Box 611
Columbia, S.C. 29202

RE: CA NO# 2011-CP-21-2095

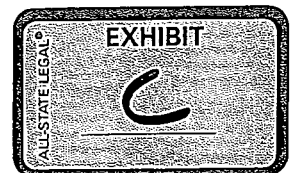
Ms. Holmes,

A HEARING WAS HELD in Florence County, IN THE COURT
OF Common Pleas ON MAR. 21.13 IN THE ABOVE MATTER, please
provide me with the "MINIMAL COST" for this transcript, thanks

With Kind Regards...



cc. J. SCOTT KOZACKI, ESD.
cc S.C. Court of Administration
cc Appellate Court





The South Carolina Court of Appeals

JENNY ABBOTT KITCHINGS
CLERK

V. CLAIRE ALLEN
DEPUTY CLERK

POST OFFICE BOX 11629
COLUMBIA, SOUTH CAROLINA 29211
1015 SUMTER STREET
COLUMBIA, SOUTH CAROLINA 29201
TELEPHONE: (803) 734-1890
FAX: (803) 734-1839
www.sccourts.org

October 28, 2013

Carmichael Flowers, 335945
Evans Correctional Institution
610 Highway #9, West
Bennettsville SC 29512

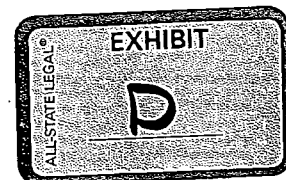
Mr. Jerome Scott Kozacki
PO Box 1909
Florence SC 29503

Re: Carmichael Flowers v. William K. Boone
Appellate Case No. 2013-000823

Dear Counsel and Mr. Flowers:

This will confirm receipt of the appellant's initial brief and designation of matter and the respondents' initial brief and designation of matter in the above pending appeal. In as much as both parties have served and filed their respective briefs and designations of matter, the Court can only presume that the transcript previously ordered by the appellant is no longer needed.

Therefore, appellant's initial brief and designation of matter are accepted as filed. The respondents' initial brief and designation of matter have been received. Counsel for the respondents is requested to serve and file an amended designation of matter removing the transcript of record within ten days of the date of this letter. If the appellant wishes to serve and file an appellant's initial reply brief, then it may be served and filed no more than ten days from the date of service of the



respondents' amended designation of matter. Otherwise, the record on appeal must be served and filed no more than thirty days from the date of service of the respondents' amended designation of matter.

All parties are reminded to use the correct caption on all future filings in this matter. The correct caption for this appeal is:

Carmichael T. Flowers, Appellant,

v.

William K. Boone, Captain J. Bronson, Leah Harris, Joseph D. Thompson and Ann and/or John Doe, Respondents.

Very truly yours,

V. Claire Allen, Deputy

CLERK

Mark W. Buyck, Jr.
Hugh L. Willcox, Jr.
Wm. Reynolds Williams♦
Mark W. Buyck, III
E. Lloyd Willcox, II
John H. Muench † GA & KY
Tracy L. Wright
Jennifer Mullins † NC
J. Scott Kozacki
Walker H. Willcox

† Additionally Licensed
♦ Certified Mediator

LAW OFFICES
WILLCOX, BUYCK, & WILLIAMS
PROFESSIONAL ASSOCIATION
www.WillcoxLaw.com
248 West Evans Street (29501)
Post Office Box 1909
Florence, South Carolina 29503-1909

ESTABLISHED 1895

Telephone (843) 662-3258
Fax (843) 662-1342

October 29, 2013

2050 Corporate Centre Dr
Suite 230
Myrtle Beach, SC 29577
Telephone (843) 650-6777
Fax (843) 650-6767

Reply To: Florence

V. Claire Allen, Deputy Clerk
South Carolina Court of Appeals
Post Office Box 11629
Columbia, SC 29211

Re: IRF Claim No. 76999; C/A No. 2011-CP-21-00000
Carmichael T. Flowers v. William K. Boone, et al
Our File 10197.15448

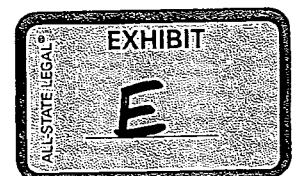
COPY

Dear Ms. Allen:

Please be advised that I am today in receipt of your October 28, 2013 correspondence concerning the above-referenced matter. In response thereto, and as previously discussed with your office via telephone, any assumption that the transcript previously ordered by the Appellant is "no longer necessary" is incorrect.

Notably, as detailed in the Respondents' Initial Brief, the *pro se* Appellant has not yet filed a transcript of the underlying judicial proceeding, as required pursuant to Rule 207 SCACR. Rather, the Appellant instead chose to file his Initial Brief, without also filing the transcript. In response, Respondents were required to file their Initial Brief within thirty (30) days after the Appellant's Initial Brief pursuant to Rule 208 SCACR, which they did, albeit without the transcript having been filed. In fact, Respondents continue to assert that the record in this case is incomplete, judicial review is impossible, and the instant Appeal must be dismissed, due to Appellant's continued failure to comply with Rule 207 SCACR.

Additionally, you have requested that I now serve and file an Amended Designation of Matter removing the transcript of record within ten (10) days. However, as detailed above, the transcript remains "necessary for judicial review." Consequently, I respectfully request that you reconsider your request and that



the instant appeal be dismissed due to Appellant's continued failure to comply with the rules of appellate procedure.

Should you have any additional questions and/or comments, please do not hesitate to contact me directly.

With kindest regards,

J. Scott Kozacki
Email: skozacki@WillcoxLaw.com

jsk

Cc: Carmichael T. Flowers # 335945
Evans Correctional Institution
610 Highway # 9, West
Bennettsville, SC 29512



The South Carolina Court of Appeals

JENNY ABBOTT KITCHINGS
CLERK

V. CLAIRE ALLEN
DEPUTY CLERK

POST OFFICE BOX 11629
COLUMBIA, SOUTH CAROLINA 29211
1015 SUMTER STREET
COLUMBIA, SOUTH CAROLINA 29201
TELEPHONE: (803) 734-1890
FAX: (803) 734-1839
www.sccourts.org

November 20, 2013

Mr. Jerome Scott Kozacki
PO Box 1909
Florence SC 29503

Re: Carmichael Flowers v. William K. Boone
Appellate Case No. 2013-000823

Dear Counsel:

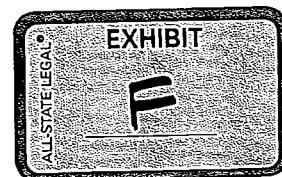
We have received your letter of October 29, 2013 regarding the ordering of the transcript in this matter. Please be reminded that any request made directly to this Court must be in the form of a motion and must be in compliance with Rule 240 of the South Carolina Appellate Court Rules.

Very truly yours,

V. Claire Allen, Deputy

CLERK

cc: Carmichael Flowers, 335945



THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM FLORENCE COUNTY
Court of Common Pleas

D. Craig Brown, Circuit Court Judge

CASE NO. 2011-CP-21-2095

CARMICHAEL T. FLOWERSAppellant

vs.

WILLIAM K. BOONE, CAPTAIN J. BRONSON,
LEAH HARRIS, JOSEPH D. THOMPSON
AND ANN AND/OR JOHN DOERespondents

AFFIDAVIT OF MELISA HARGROVE

Personally appeared before me the undersigned who being sworn deposes and states as follows:

1. I am over the age of 18 and familiar with the information contained in this affidavit.
2. During all relevant times, I was employed by the law firm of Willcox, Buyck & Williams, PA as a litigation paralegal for J. Scott Kozacki, Esq.
3. On or about October 22, 2013, I spoke with Elizabeth (last name unknown) of the Clerk of Court's Office for the SC Court of Appeals via telephone. The clerk asked if Mr. Kozacki wanted to proceed without the transcript.
4. I informed the clerk that Mr. Kozacki did not want to go forward without a complete record and that it was his position that the record was incomplete.
5. I further informed the clerk that without an Order from the Court, Mr. Kozacki believed he was required to file a response brief.

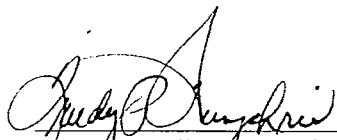
6. I also informed the clerk that Mr. Kozacki had even included language within his brief stating that Appellant's brief was improper because the transcript had not been received.
7. The clerk informed me that they would return all briefs with letters stating the briefs were premature because the transcript had not been received.
8. I understand that making any false statements within this affidavit may subject me to criminal liability.
9. I further attest that I am making these statements freely and voluntarily, without coercion or duress. I further state that I am not suffering from any mental conditions or taking any substances which would impair my ability to understand all matters set forth herein.

FURTHER AFFIANT SAYETH NOT.



Melisa Hargrove

Sworn to before me this 30th
day of JANUARY, 2014



Notary Public, State of South Carolina
My commission expires: 10/17/17

Exhibit 2

THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Florence County
Court of Common Pleas

D. Craig Brown Circuit Judge

CASE NO. 2011-CP-21-2095

CARMICHAEL T. FLOWERS Appellant

VS.

WILLIAM K. BOONE, Capt. J. BRUNSON,
LEAH HARRIS, JOSEPH D. THOMPSON
AND ANN AND/OR JOHN DOE RESPONDENTS

OBJECTION TO MOTION TO DISMISS

THE RESPONDENTS ARE ASKING THAT THE ABOVE appeal be dismissed PURSUANT TO APPELLATE COURT rule 260, AND ARE IMPLYING I (APPELLANT) FAILED TO comply with THE REQUIREMENTS OF THESE RULES.

FIRST AND FOREMOST, BOTH PARTIES, (THE APPELLANT AND RESPONDENTS) HAVE SUBMITTED INITIAL BRIEFS AND DESIGNATION OF MATTER PRIOR TO THE ORDERING OF THE TRANSCRIPT, IN THE ABOVE MATTER.

SECONDLY, I HAVE FOLLOWED THE APPELLATE COURT RULES FASTIDIOUSLY AND PRECISELY.

ON April 22. 13 I RECEIVED NOTICE THAT THE ABOVE CASE HAD BEEN ASSIGNED THE Appellate CASE NO. # 2013-000823.

ON Aug. 8TH 2013 I WROTE BOTH THE S.C. Court of Administration AND THE CLERK OF Court in Florence Co. Inquiring AS TO WHOM THE COURT REPORTER WAS AND HOW I COULD REACH THIS PERSON, A COPY OF THIS LETTER WAS ALSO FORWARDED TO RESPONDENTS' ATTY OF RECORD, (SEE Exhibits 1 AND 2).

ON Aug. 14. 2013 I RECEIVED AN ORDER FROM THE Court of Appeals Certifying THAT my MOTION TO PROCEED IN FORMA PAUPERIS HAD BEEN GRANTED.

Initially I WAS GIVEN THE WRONG INFORMATION REGARDING THE COURT REPORTER, (SEE Exhibit 2), AND ON Aug. 22. 2013 I WAS INFORMED BY THE CLERKS OFFICE TO SEE Rule 207, SCACR, FOR GUIDANCE ON HOW TO PROCEED IF I DID NOT WANT TO ORDER THE TRANSCRIPT.

ON Aug. 29TH 2013 COURT REPORTER Krystal J. Smith INFORMED ME BY LETTER THAT SHE DID NOT WORK ON April 1. 2013 AND PROVIDED ME WITH THE NAME OF Crystal Holmes, (SEE Exhibit 3).

ON SEPT 5. 2013, I AGAIN WROTE THE CLERKS OFFICE in Florence CO., ASKING FOR AN ADDRESS FOR COURT REPORTER Crystal Holmes AND AGAIN A COPY WAS SENT TO RESPONDENTS' ATTY. OF RECORD, (SEE Exhibit 4). ~~AND Respondents Exhibit (A).~~

ON SEPT. 11, 2013, I WROTE RESPONDENTS' ATTY. OF RECORD AND ASKED IF HE WOULD AGREE TO NOT ORDERING THE TRANSCRIPT, ATTY. KOZACKI KNOWING AT THIS POINT THAT APPELLANT HAD NO MONEY AND WAS IN A STATE OF PENURY, HE DECLINED MY OFFER (SEE EXHIBIT 5) STATING THAT THE RECORD WOULD NOT BE COMPLETE.

ON SEPT. 19TH 2013, I WROTE MS. CRYSTAL HOLMES Circuit Court Reporter, REQUESTING THE TRANSCRIPT PURSUANT TO SCACR, Rule 207. AS OF MARCH 5, 2014 AND RESPONSE TO RESPONDENTS' MOTION TO DISMISS, MS. HOLMES HAS NOT RESPONDED TO APPELLANTS REQUEST FOR THE TRANSCRIPT, A TOTAL OF 162 DAYS AND COUNTING, (SEE EXHIBIT 6)⁽⁶⁾

THE RESPONDENTS ATTORNEY'S (MR. KOZACKI) MOTION TO DISMISS IS MOOT, FRIVOLOUS, AND UNTIMELY.

FIRST AND FOREMOST THERE IS NO COURT RULE FOR THE INADVERTENCE OF FILING ONE'S INITIAL BRIEF AND DESIGNATION OF MATTER BEFORE THE TRANSCRIPT IS PRODUCED, HOWEVER IF THERE IS SUCH RULE, BOTH RESPONDENT AND APPELLANT ARE IN VIOLATION OF THIS RULE, THUS SCACR Rule 269 WOULD APPLY IN REFERENCE TO THIS "MOTION TO DISMISS".

THE RESPONDENTS ATTY. (MR. KOZACKI) FILED HIS REPLY TO MY INITIAL BRIEF, "KNOWINGLY" THAT THE TRANSCRIPT HAD YET TO BE PRODUCED, AND "SOMEHOW" BLAMES THE APPELLANT, THE CLERK OF COURT, EVERYONE BUT HIMSELF. ATTY. KOZACKI MAKES NO REFERENCE TO

THE "TRANSCRIPT" IN HIS Respondents' brief, ONLY IN "FOOTNOTES", ATTY. KOZACKI IS USING THIS "TRANSCRIPT" AND Rule 207, SCACR, AS A PAWN, A PAWN HE HOPES I CAN'T AFFORD, AND ONE HE WILL HAVE WON ON A TECHNICALITY, AND LOOPHOLE.

AT ONE POINT THE Respondents' ATTY. ACKNOWLEDGES THAT Appellant DID IN FACT ORDER THE TRANSCRIPT PURSUANT TO Rule 207, SCACR, AND SUBMITS Appellants' LETTER AS PROOF, MARKED Respondents' Exhibit (C).

THIS MOTION TO DISMISS IS "UNTIMELY" AT BEST, THE COURT REPORTER HAS NOT RESPONDED TO MY REQUEST, HOWEVER I HAVE FOLLOWED THE RULES IN REGARDS TO ORDERING THE TRANSCRIPT AND THE EXHIBITS SPEAK FOR THEMSELVES.

THE CLERK OF THE APPELLATE COURT SENT THE Respondents' ATTY. A LETTER THAT ALSO REFERENCE THE FACT THAT Appellant DID IN FACT ORDER THE TRANSCRIPT, (SEE LETTER DATED OCT. 28 2013, Exhibit 7).

THE LETTER ALSO SET A TIME FOR Respondents' ATTY. TO SERVE AND FILE AN AMENDED DESIGNATION OF MATTER REMOVING THE "TRANSCRIPT", HOWEVER THE Respondents' ATTY. WAITS OVER 90 DAYS TO FILE A CLEARLY TRIVOLOUS MOTION.

I ASK THE COURT FOR SANCTIONS IN THIS MATTER AND THAT THE Respondents' MOTION TO DISMISS BE DENIED.

THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Florence County
Court of Common Pleas

D. Craig Brown, Circuit Judge

Case NO. 2011-CP-21-2095

Carmichael T. Flowers Appellant

- VS -

William K. Boone, Capt. J. Bronson,
LEAH Harris, Joseph D. Thompson,
AND ANN AND/or John Doe. Respondents

Certificate of Service

I, Carmichael T. Flowers hereby certify that I
served Appellants "Objection to Motion to Dismiss," ON
Respondents by depositing a copy in the U.S. Mail
Postage prepaid, to:

J. Scott Kozacki, ESQ.
P.O. BOX 1909
Florence, SC 29503-1909

Date of Mailing
MARCH 8, 2014


By: 
Agency #335945, Ridgeland CT
P.O. Box 2039, SB39
Ridgeland, S.C. 29936

Exhibit 3

The South Carolina Court of Appeals

Carmichael T. Flowers, Appellant,

v.

William K. Boone, Captain J. Bronson, Leah Harris,
Joseph D. Thompson and Ann and/or John Doe,
Respondents.

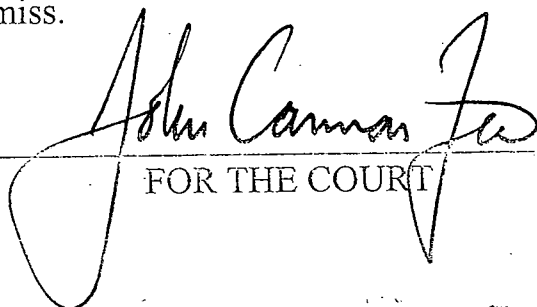
Appellate Case No. 2013-000823

ATTENTION/ACTION
 Read Handle Approve Return File
 Arrange Confirm Review Edit
 Draft Responses Notify Client Calendar
 Forward to _____ Send copy to _____
Deadline _____ File# _____

ORDER

Respondents have filed a motion to dismiss this appeal, arguing they never consented to proceeding without the transcript and Appellant has failed to order the transcript. Appellant filed a return, arguing that he has requested the transcript from the court reporter and has complied with the South Carolina Appellate Court Rules.

Although our file contains proof that Appellant wrote a letter to the court reporter, Crystal Holmes, Appellant has failed to provide proof he has made arrangements for payment of the transcript. Within twenty days, Appellant shall provide written proof that he has made satisfactory arrangements for payment of the transcript. Appellant is reminded that he shall furnish all counsel of record, this Court and the Office of Court Administration with copies of all correspondence with the court reporter. Upon receipt, or upon the expiration of twenty days, this Court will consider Respondent's motion to dismiss.



FOR THE COURT

Columbia, South Carolina

FILED
5/14/14

cc:

Carmichael Flowers, 335945

Jerome Scott Kozacki, Esquire

Exhibit 4

JUNE 19, 2014

THE HON. ROSALYN W. FRIERSON
Dir. South Carolina Court Admin.
105 Sumter Street, Ste 200
Columbia, SC 29201

ATTENTION/ACTION	
<input type="checkbox"/> Read	<input type="checkbox"/> Handle
<input type="checkbox"/> Approve	<input type="checkbox"/> Return
<input type="checkbox"/> File	<input type="checkbox"/> Arrange
<input type="checkbox"/> Confirm	<input type="checkbox"/> Review
<input type="checkbox"/> Edit	<input type="checkbox"/> Draft
<input type="checkbox"/> Know	<input type="checkbox"/> Notify
<input type="checkbox"/> Client	<input type="checkbox"/> Calendar
<input type="checkbox"/> Forward to	<input type="checkbox"/> Send copy to
<input type="checkbox"/> Deadline	<input type="checkbox"/> File

RE: CARMICHAEL T. FLOWERS
Appellant

VS

William K. Boone, ET AL
Respondents

CASE NO. 2013-000823

DEAR MS. FRIERSON,

I SENT THE COURT ADMIN. A COPY OF MY 2ND LETTER TO COURT REPORTER CRYSTAL M. HOLMES, REQUESTING THE TRANSCRIPT, HOWEVER I HAVE NOT RECEIVED A STAMPED CONFIRMATION.

Secondly, I HAVE NOT RECEIVED THE TRANSCRIPT IN A TIMELY MANNER.

With the kindest of regards . . . I Am,

- cc Appellate Court
- cc Court Reporter Crystal Holmes
- cc Jerome Kozacki, ESO
- cc Court Admin.

Sincerely,
Carmichael Flowers

Exhibit 5

The South Carolina Court of Appeals

Carmichael T. Flowers, Appellant,

v.

William K. Boone, Captain J. Bronson, Leah Harris,
Joseph D. Thompson and Ann and/or John Doe
Respondents.

Appellate Case No. 2013-000823

ATTENTION/ACTION
[] Load [] Upload [] Approve [] Review []
[] Arrange [] Control [] Review []
[] Direct Responses [] Notify Client []
[] Forward to [] []
Deadline []

ORDER

Appellant filed the notice of appeal in this case on April 10, 2013. On May 14, 2014, which is over a year later, this Court issued an order (1) explaining that Respondents have filed a motion to dismiss based on Appellant's failure to order to transcript, and (2) requiring Appellant to provide proof he has made arrangements for the payment of the transcript within twenty days. Appellant provided this Court with a copy of a letter to the court reporter, wherein he requests to order a transcript, but it did not include proof he has made arrangements for the payment of the transcript. This Court has further learned from Court Administration that Appellant never furnished the court reporter with the date of the hearing and he failed to respond to the court reporter's request for the date. Because over a year has passed and Appellant has still failed to satisfactorily order the transcript and Appellant failed to comply with this Court's May 14, 2014 order, Respondent's motion to dismiss is granted.


FOR THE COURT

Columbia, South Carolina

cc:
Carmichael Flowers, 335945
Jerome Scott Kozacki, Esquire

FILED
6/30/14



The South Carolina Court of Appeals

JENNY ABBOTT KITCHINGS
CLERK

V. CLAIRE ALLEN
DEPUTY CLERK

POST OFFICE BOX 11629
COLUMBIA, SOUTH CAROLINA 29211
1015 SUMTER STREET
COLUMBIA, SOUTH CAROLINA 29201
TELEPHONE: (803) 734-1880
FAX: (803) 734-1839
www.sccourts.org

June 30, 2014

Carmichael Flowers, 335945
Ridgeland Correctional Institution
PO Box 2039
Ridgeland SC 29936

Mr. Jerome Scott Kozacki, Esquire
PO Box 1909
Florence SC 29503

Re: Carmichael Flowers v. William K. Boone
Appellate Case No. 2013-000823

Dear Counsel:

Enclosed is the decision of the Court. The remittitur will be sent as provided by Rule 221(b) of the South Carolina Appellate Court Rules.

Very truly yours,

V. Claire Allen, Deputy

CLERK

Exhibit 6

First Argument

THE APPELLATE COURT'S ORDER OF DISMISSAL DATED JUNE 30, 2014 COMES WITH AN IMPLIED BIAS, AND THE RULING MAKES TWO UNFOUNDED ALLEGATIONS THAT IT CAN'T SUBSTANTIATE.

THE COURT SUBMITS THAT APPELLANT "REQUESTS TO ORDER A TRANSCRIPT," BUT IT DID NOT INCLUDE PROOF HE HAS MADE ARRANGEMENTS FOR PAYMENT."

SECONDLY THE COURT CLAIMS THAT IT LEARNED FROM COURT ADMINISTRATION THAT APPELLANT NEVER FURNISHED THE COURT REPORTER WITH A DATE OF THE HEARING AND AND APPELLANT FAILED TO RESPOND TO THE COURT - REPORTER'S REQUEST FOR THE DATE OF THE HEARING, AND THE COURT IMPLIES THAT IT'S MY FAULT THAT IT'S NOW OVER A YEAR.

SECOND Argument

EXHIBIT 1, THE SEPT. 19, 13 LETTER TO COURT REPORTER Crystal Holmes, I BEGAN MY LETTER NAMING FLORENCE COUNTY COURT OF COMMON PLEAS AS THE - COURT WHERE HEARING TOOK PLACE, SECONDLY I PROVIDED THE COURT "DATE", NEXT I PROVIDED THE CASE # (C/A NO# 2011-CP-21-2095), LASTLY I ASK FOR THE "COST".

FROM SEPT. TO PRESENT, NINE (9) MONTHS WITHOUT A RESPONSE.

THIS COURT ORDER ALLEGES THAT APPELLANT FAILED TO RESPOND TO THE COURT REPORTERS REQUEST FOR "THE DATE", NOT ONLY CAN THE COURT - SUBSTANTIATE THIS, MY 1ST. LETTER TO MS. HOLMES REFLECTS A DATE OF MAR. 21. 13, SECONDLY ANY MAIL SENT TO INSTITUTION (LEGAL MAIL) IS RECORDED, I HAVE NOTHING FROM MS. HOLMES OR THE COURT ADMINISTRATION.

COURT ADMINISTRATION HAS CHIMED IN ON THIS ISSUE BY STATING THAT I NEVER FURNISHED THE COURT REPORTER WITH THE DATE OF THE HEARING, ANOTHER ALLEGATION THAT THE COURT CANNOT SUBSTANTIATE, THESE ALLEGATIONS ARE UNFOUNDED.

Third Argument

ON MAY 14, 2014 I WAS ORDERED BY THE COURT TO ORDER THE TRANSCRIPT AND MAKE ARRANGEMENT FOR THE PAYMENT, AGAIN I REPLIED AND NO RESPONSE.

I'M A PRO-SE LITIGANT AND I'M NOT SURE WHAT STANDARD I'M BEING HELD TO WHEN A COURT ASKS ME TO MAKE PAYMENT ARRANGEMENT WITH SOMEONE WHO WON'T RESPOND TO MY REQUEST FOR THE TRANSCRIPT OR GIVE ME THE COST. SEE EXHIBIT NO.# 2, I WROTE THE CHIEF JUSTICE AND ASKED THE SAME QUESTION.

IN MY SECOND LETTER TO MS. HOLMES, I - SPECIFICALLY ITERATE THAT "I AGREE TO PAY THE PER PAGE CHARGE FOR THE TRANSCRIPT." AS PROVIDED BY RULE 607SCACE, AGAIN NO RESPONSE.

I AGAIN WRITE THE COURT ADMINISTRATION, THE RESPONDENTS AND MS. HOLMES, A LETTER STATING THAT I HAVE NOT RECEIVED THE TRANSCRIPT IN A TIMELY MANNER, THE COURT ADMINISTRATION HAS YET TO RESPOND, SEE EXHIBIT NO.# 3.

FOURTH ARGUMENT

I FILED THIS APPEAL "IN FORMA PAUPERIS", I HAVE TO DEPEND UPON A 78 YEAR OLD MOTHER FOR ENDOWMENTS OF A BROTHER THAT DRIVES A TRUCK AND IS VERY HARD TO REACH BY MAIL, THEY BOTH LIVE IN VIRGINIA, I HAVE NO WAY TO CALL THEM WITHOUT HAVING TO GO THRU THE CHAPLAIN OR SOMEONE ELSE, ASKING MS. HOLMES FOR THE COST OF THE TRANSCRIPT WOULD HAVE BE THE STARTING POINT FOR ME.

HOWEVER I FIND IT AN ECCENTRICITY THAT MS. HOLMES AFTER NINE (9) MONTHS, WOULD COME FORWARD AT THIS TIME TO MISLEAD THE COURT INTO THINKING THAT SHE HAD COMMUNICATED WITH ME, AND I SOMEHOW FAILED TO PROVIDE HER WITH THE DATE OF THE HEARING.

THE HON. JASPER CURTOM, A.J., IS AN ARBITER OF FACT(S), WHAT ARE FACTS? "THE ASPECT OF A CASE AT LAW COMPRISING EVENTS DETERMINED BY EVIDENCE, NOT LIES OR FABRICATIONS OR ERRONEOUS INFORMATION.

I'm appalled by THE Impropriety of THE - COURT of Administration, Again I ASK YOU THE FACT finder TO EXAMINE Exhibit #3, WHERE IS THE COURT of Administration's EVIDENCE THAT I failed TO provide MS. HOLMES WITH A DATE OF THE HEARING? IT'S SIMPLY NOT TRUE, AND THERE'S NO EVIDENCE.

CONCLUSION

DUE TO MY RESTRAINTS, I AGAIN REQUEST THE COST OF THE TRANSCRIPT, I HAVE ALREADY AGREED THAT I WOULD PAY THE PER PAGE COST FOR THE TRANSCRIPT AND PROVIDED MS. HOLMES WITH THE COURT DATE, CASE NO.#, AND LOCATION OF THE HEARING.

FOR THE STATED REASONS, THIS ORDER OF THE DISMISSAL FROM THE APPELLATE COURT SHOULD BE REVERSED.

DATE: July 7, 14

Respectfully,
Carmichael T. Howers
in Pro - SE
Carmichael T. Howers
Agency # 335945, RCI
P.O. BOX 2039, SB44
Ridgeland, SC 29936

~~EXHIBIT #1~~
Exhibit #1

SEPT. 19.13

Mr. Carmichael T. Flowers
Agency # 335945 / EVANS C.I.
610 HWY # 9 WEST, FI-B-141A
Bennettsville, S.C. 29512

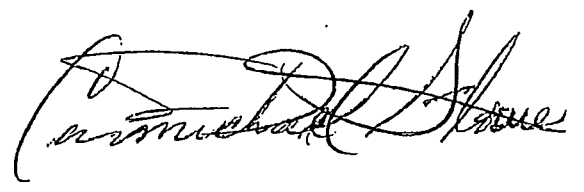
Ms. Crystal M. Holmes
P.O. Box 611
Columbia, S.C. 29202

RE: CA NO# 2011-CP-21-2095

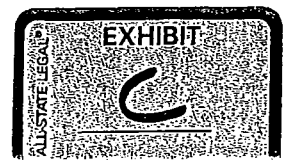
Ms. Holmes,

A HEARING WAS HELD in Florence County, IN THE COURT
OF Common Pleas ON MAR. 21.13 IN THE ABOVE MATTER, please
provide me with the "Minimal Cost" for this transcript, thanks

With Kind Regards...



- cc. J. SCOTT KOZACKI, ESD.
- cc S.C. Court of Administration
- cc Appellate Court



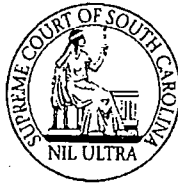


Exhibit # 2

The Supreme Court of South Carolina

DANIEL E. SHEAROUSE
CLERK OF COURT

BRENDA F. SHEALY
CHIEF DEPUTY CLERK

POST OFFICE BOX 11330
COLUMBIA, SOUTH CAROLINA 29211
TELEPHONE: (803) 734-1080
FAX: (803) 734-1489

June 3, 2014

Mr. Carmichael T. Flowers, #335945
Ridgeland Correctional Institution
P.O. Box 2039
Ridgeland, SC 29936

Re: Carmichael Flowers v. William K. Boone
Appellate Case No. 2013-000823

Dear Mr. Flowers:

This responds to your letter to Chief Justice Toal dated May 26, 2014. Please be advised that the Chief Justice cannot respond to your *ex parte* communication about the above case that is pending before the South Carolina Court of Appeals.

If you have legal questions or need assistance, you may wish to consult with an attorney.

Very truly yours,

CLERK

cc: Jerome Scott Kozacki, Esquire
The Honorable Jenny Abbott Kitchings (with copy of letter)

JUNE 19, 2014

THE HON. ROSALYN W. FRIERSON
 Dir. SOUTH CAROLINA Court Admin.
 1015 SUMNER STREET, Ste. 200
 Columbia, S.C. ~~29202~~ 29201

RE: CARMICHAEL T. HOWERS
 Appellant

vs

William K. Boone, ET AL,
 Respondents

Case NO.# 2013-000823

Dear Ms. FrierSON,

I SENT THE COURT Admin. A COPY OF MY 2ND LETTER TO COURT REPORTER Crystal M. Holmes, REQUESTING THE TRANSCRIPT, HOWEVER I HAVE NOT RECEIVED A STAMPED CONFIRMATION.

Secondly, I HAVE NOT RECEIVED THE TRANSCRIPT IN A TIMELY MANNER.

With the kindest of regards. . . I Am,

cc Court Admin.
 Court of Appeals
 Court Reporter Crystal Holmes
 J. Scott Kozaki, ESO.

D. Sincere
 Carmichael Howers

THE STATE OF SOUTH CAROLINA
IN THE COURT OF Appeals

Appeal from Florence County
Court of Common Pleas

D. Craig Brown, Circuit Judge

CASE NO. # 2011-CP-21-2095

Carmichael T. Flowers Appellant

VS

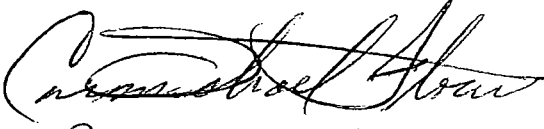
William K. Boone, Capt. J. Bronson,
LEAH HARRIS, Joseph D. Thompson
AND ALL AND /or JOHN DOE Respondents

CERTIFICATE OF SERVICE

I, THE UNDERSIGNED HEREBY CERTIFY THAT I HAVE SERVED A COPY OF Appellant's PETITION for REHEARING AND AFFIDAVIT upon Respondent's Atty. of Record by depositing THE SAME in THE U.S. MAIL, postage prepaid, Addressed AS FOLLOWS:

J. SCOTT KOZACKI, ESQ
P.O. BOX 1909, Florence SC 29503

DATE: July 7, 14
Jasper County


P.O. BOX 2039
Ridgeland, SC 29936

THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

APPEAL FROM FLORENCE COUNTY
COURT OF COMMON PLEAS

D. CRAIG BROWN, Circuit Judge

CASE NO. 2011-CP-21-2095

CAMMICHAE L T. FLOWERS APPELLANT

VS

WILLIAM K. BOONE, Capt. S. BRUNSON,
LEAH HARRIS, JOSEPH D. THOMPSON
AND AUN AUN/OF JOHN DOE RESPONDENTS

Affidavit of Appellant

PERSONALLY APPEARED before me, CAMMICHAE L T. FLOWERS
Agency # 335945, THE APPELLANT, WHO BEING DULY SWORN, UNDER
PENALTY OF PERJURY, DEPOSES AND STATES:

(1) I AM CAMMICHAE L T. FLOWERS, Agency # 335945,
(HEREIN AFTER AFFIANT), THE PRO-SE APPELLANT TO THIS
AFFIDAVIT AND PETITION FOR REHEARING.

(2) AFFIANT IS BEFORE THE COURT OF APPEALS, WHERE HE HAS INITIATED A PETITION FOR RE-HEARING FOLLOWING AN ORDER OF DISMISSAL.

(3) AFFIANT FILED NOTICE OF APPEAL IN THIS CASE ON APRIL 10, 2013. ON APRIL 22, 2013 AFFIANT WAS ASSIGNED CASE NO. 2013-000823. ON AUG 14, 2013 AN ORDER WAS ENDORSED GRANTING MY MOTION TO PROCEED "IN FORMA PAUPERIS".

ON AUG. 14, 2013 OR SOMETIME THEREAFTER I BEGAN TO ENQUIRE AS TO WHO THE COURT REPORTER WAS, I WAS GIVEN THE WRONG NAME, HOWEVER COURT REPORTER KRISTAL S. SMITH INFORMED ME THAT THE COURT REPORTER WAS CRYSTAL HOLMES. ON SEPT. 19, 2013 I WROTE COURT REPORTER MS. CRYSTAL HOLMES AND PROVIDED MS. HOLMES WITH "DATE OF HEARING", "PLACE OF HEARING" AND A CASE NO. # 2011-CP-21-2095. AGAIN I ASK THAT YOU SEE EXHIBIT 1.

(4) AFFIANT STATES FOR THE RECORD, AND BEING DULY SWORN THAT AT NO TIME DID MS. HOLMES RESPOND IN ANY WAY TO MY LETTERS AS THE ORDER OF DISMISSAL IMPLIES.

(5) AFFIANT WAS ORDERED BY THE COURT TO CONTACT MS. HOLMES, ON OR ABOUT MAY 14, 2014, AFFIANT WROTE MS. HOLMES (APPENDIX PAGE 76 (FORM 11) SCACR) PURSUANT TO THE LETTER SHOWN IN THE RULES OF COURT'S 2012 EDITION. I AGAIN PROVIDED MS. HOLMES WITH THE DATE OF THE HEARING, PLACE OF HEARING AND CASE NO. 2011-CP-21-2095

IN THE LETTER TO MS. HOLMES I WROTE THAT "I AGREE TO PAY THE PER PAGE CHARGE FOR THIS TRANSCRIPT AS PROVIDED BY SCACR RULE 607" I ALSO SENT CARBON COPIES (HAND WRITTEN) TO RESPONDENTS, CLERK OF APPELLATE COURT (CARE OF) MS. ELIZABETH CARTER, AND THE COURT OF ADMINISTRATION. AGAIN, MS. HOLMES NEVER RESPONDED.

HAD MS. HOLMES AS THE ALLEGATION STATES, HAD RESPONDED TO ANY OF MY LETTERS, THERE WOULD HAVE BEEN A RECORD HERE AT THE INSTITUTION OF "LEGAL MAIL" FROM COURT REPORTER MS. HOLMES WITH MY SIGNATURE SHOWING RECEIPT.

(6) THE ORDER OF DISMISSAL FURTHER ALLEGES THAT THE COURT ADMINISTRATION FURNISHED THIS ERRONEOUS INFORMATION TO THE COURT, FOR THE RECORD, I HAVE FOLLOWED THE SCACR AND PROVIDED THE COURT OF ADMINISTRATION WITH COPIES OF MY CORRESPONDENCE WITH COURT REPORTER ~~CRYSTAL HOLMES~~, AT NO TIME HAS THE COURT OF ADMINISTRATION CONTACTED ME IN ANY WAY OR REGARDS TO ME NOT PROVIDING A DATE, OR ANY OTHER INFORMATION NECESSARY TO FULFILL MY REQUEST FOR THE TRANSCRIPT; AGAIN THE INFORMATION FURNISHED BY THE COURT OF ADMINISTRATION IS A LIE AND CAN NOT BE SUBSTANTIATED.

(7) AFFIANT BELIEVES THAT THIS TESTIMONY IS GIVEN UNDER PENALTY OF PERJURY, OFFERS THIS ATTESTMENT CONSISTANT WITH Rule 11, OF THE SOUTH CAROLINA Rules of Civil procedure; Rule 43(D), OF THE SOUTH CAROLINA Rules of Civil procedure; AND Rule 603, OF THE SOUTH CAROLINA Rules of Evidence.

AFFIANT SAYETH NO FURTHER:

SWORN TO AND subscribed before ME
THIS 7 DAY OF July 2014
Virginia Rolinson
Notary Public for South Carolina
MY Commission Expires May 26, 2017

DATE: 7/7/14
Jasper Co.

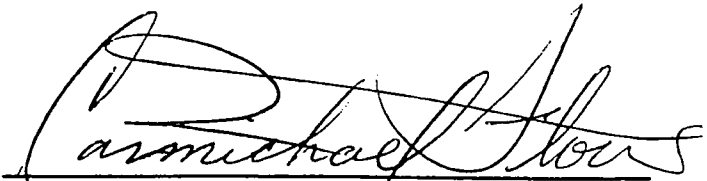

CARMICHAEL T. Flowers, 335945
Ridgeland Corr. Inst.
P.O. Box 2039, SB44
Ridgeland, SC. 29936

Exhibit 7

THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

APPEAL FROM FLORENCE COUNTY
COURT OF COMMON PLEAS

D. CRAIG BRONN, Circuit Judge

CASE NO. # 2011-CP-21-2095

CARMICHAEL T. FLOWERS APPELLANT

ATTENTION/ACTION
 Read Hear Approve Return File
 Arrange Confirm Review Draft
 Draft Responses Notify Client Calendar *reopen*
 Forward to _____ Send copy to *me / WJW / cwfars*
Deadline _____ Filed _____

VS
WILLIAM K. BOONE, CAPT. J. BRANSON,
LEAH HARRIS, JOSEPH D. THOMPSON
AND ANN AND/OR JOHN DOE

RESPONDENT(S)

AMENDED PETITION FOR REHEARING

ON 6/30/14 THE HON. JASPER CURETON, ASSOC. JUSTICE FOR THE SOUTH CAROLINA COURT OF APPEALS FILED AN ORDER DISMISSING APPELLANT'S APPEAL.

JUSTICE CURETON STATES IN HIS ORDER THAT THE COURT HAS LEARNED FROM COURT ADMINISTRATION THAT APPELLANT NEVER FURNISHED THE COURT REPORTER WITH THE DATE OF THE HEARING AND ALSO THAT I (APPELLANT) FAILED TO RESPOND TO THE COURT REPORTER'S REQUEST FOR THE DATE.

Appellant immediately filed a petition for rehearing due to the erroneous assumption that I failed to provide the court reporter with the date of the hearing, and also to the assumption that the court reporter had somehow communicated with appellant.

Again as I aforesaid in my petition, I found it eccentric that Ms. Holmes (Court Reporter) would wait 9 months until now to write me an unsigned letter dated (May 29th, 2014, see enclosed) to tell me that she received my request for a transcript, and would I give her the date of the hearing.

Ms. Desiree R. Allen, (Court Reporter Manager) sent me a letter also dated July 1, 2014, "After the fact" outlining for me to provide the date of the hearing, (see letter dated Sept. 19, 13, exhibit "C", enclosed).

In any event I'm enclosing copies of all the letters and dates, as to make some kind of consensus of all of this in hope that the court will perhaps reverse the order of dismissal.

As soon as the appellate court granted "in forma pauperis", on or about Aug. 14, 13, I began to ask as to who the court reporter was, I received that information Sept. 19, 13.

Appellant's first letter to court reporter Crystal Holmes was dated Sept. 19.13, I requested the transcript and cost, I also provided a hearing date, it appears everyone (all parties) got a copy but ms. Holmes, no one (court) would return a stamped copy or respond.

I again wrote ms. Holmes per court order, I again provided all parties with a copy and I requested a stamped/clocked copy for my records, no one (court) responded.

Ms. Desiree Allen, from court administration sent me the enclosed letters, after I had initially filed my petition for rehearing.

CONCLUSION

I'm asking the court to examine the dates and letters, also the fact that I had in fact provided the date of the hearing 9 months ago, and as stated earlier, if the court of admin. or the court reporter had sent letters in a timely manner there would have been a record of receipt.

Dated: July 10.14


CRYSTAL HOLMES
IN PRO-SE

THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Florence County
Court of Common Pleas

D. Craig Brown, Circuit Judge

CASE NO. # 2011-CP-21-2095

Carmichael T. Flowers Appellant

VS

William K. Boone, Capt. J. Branson
Leah Harris, Joseph D. Thompson
AND ANN AND/OR JOHN DOE Respondents

CERTIFICATE OF SERVICE

I, THE UNDERSIGNED, IN PRO-SE, HEREBY
CERTIFY THAT I HAVE SERVED AMENDED PETITION FOR
REHEARING UPON RESPONDENTS ATTY. OF RECORD
BY PLACING THE SAME IN AN ENVELOPE, POSTAGE
PREPAID, ADDRESSED AS FOLLOWS:

DATE: July 10, 2014 J. Scott Kozacki
P.O. BOX 1909
Florence, SC 29503

Carmichael T. Flowers
IN PRO-SE



South Carolina Court Administration
South Carolina Supreme Court
Columbia, South Carolina

ROSALYN FRIERSON
DIRECTOR

1015 SUMTER STREET, SUITE 200
COLUMBIA, SOUTH CAROLINA 29201
TELEPHONE: (803) 734-1800
FAX: (803) 734-0269

July 1, 2014


Carmichael Flowers #335945
RCI
P. O. Box 2039
Ridgeland, SC 29936

Dear Mr. Flowers:

This is in response to your letter received dated June 25, 2014, which was forwarded to the Court Reporter Section for response. Our records reflect and we have attached the letter that Ms. Holmes has sent in response to your request.

Please follow the instructions outlined in her letter and provide the date of the hearing for the transcript you are requesting.

Sincerely,



Desiree R. Allen
Court Reporter Manager

Enclosure: Unsigned copy of letter
CC: Crystal M. Holmes, Court Reporter

JUNE 19, 2014

THE HON. ROSALYN W. FRIERSON
Dir. SOUTH CAROLINA Court Admin.
1015 Sumner Street, Ste 200
Columbia, S.C. 29201

RE: CARMICHAEL T. FLOWERS
Appellant

vs

William K. BOONE, ET AL
Respondents CASE NO. # 2013-000823

DEAR MS. FRIERSON,

I SENT THE COURT ADMIN. A COPY OF 2ND LETTER TO COURT REPORTER CRYSTAL M. HOLMES REQUESTING THE TRANSCRIPT, HOWEVER I HAVE NOT RECEIVED A STAMPED CONFIRMATION.

SECONDLY, I HAVE NOT RECEIVED THE TRANSCRIPT IN A TIMELY MANNER.

With the kindest of regards . . . I Am,

cc Court Admin.
cc JEROME SCOTT KOZACKI, ESP
cc S.C. Appellate Court
cc Court Reporter Crystal M. Holmes

Sincerely,
Carmichael Flowers

CRYSTAL M. HOLMES
P.O. BOX 611, COLUMBIA,
SOUTH CAROLINA 29202-0611

May 29th, 2014

Carmichael T. Flowers
Agency # 3359445, RCI
PO Box 2039, SB44
Ridgeland, SC 29936

Case Number: 2011-CP-21-2095

Dear Mr. Flowers,

I have received your request for a transcript in the above-referenced matter. The cost of a transcript is \$3.25 per page plus shipping and handling. After reviewing your request I did not see where you included the date of the hearing. Your letter indicated the hearing was held in Florence Co. before Honorable D. Craig Brown in Common Pleas.

If you would tell me the date the hearing took place I will be able to locate the hearing and give an estimate on the transcript.

If you have any further questions, please contact me at the above address. Thank you.

Sincerely,

Crystal M. Holmes

SEPT. 19.13

Mr. Carmichael T. Flowers
 Agency # 335945 / EVANS C.I.
 610 HWY # 9 WEST, FI-B-141A
 Bennettsville, S.C. 29512

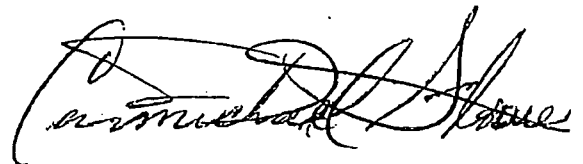
Ms. Crystal M. Holmes
 P.O. Box 611
 Columbia, S.C. 29202

RE: CA NO# 2011-CP-21-2095

Ms. Holmes,

A HEARING WAS HELD in Florence County, IN THE COURT of Common Pleas ON MAR. 21.13 in THE ABOVE MATTER, please provide me with the "minimal cost" for this transcript, thanks

With Kind Regards...



cc. J. SCOTT KOZACKI, ESD.
 cc S.C. Court of Administration
 cc Appellate Court



South Carolina Court Administration
1015 Sumter Street, Suite 200
Columbia, South Carolina 29201-3739

COLUMBIA
SC 290
03 JUL '14
PM 1 L

Hasler

FIRST-CLASS MAIL

07/02/2014

US POSTAGE

\$00.48⁹



ZIP 29201
011D12602624

5044

Carmichael Flowers #335945
RCI
P. O. Box 2039
Ridgeland, SC 29936

**RIDGELAND CORRECTIONAL
INSTITUTION**

JUL 07 2014

MAILROOM

29936203939

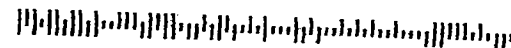


Exhibit 8

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM FLORENCE COUNTY
Court of Common Pleas

D. Craig Brown, Circuit Court Judge

CASE NO. 2011-CP-21-2095

CARMICHAEL T. FLOWERSAppellant

vs.

WILLIAM K. BOONE, CAPTAIN J. BRONSON,
LEAH HARRIS, JOSEPH D. THOMPSON
AND ANN AND/OR JOHN DOERespondents

RETURN TO PETITION AND/OR MOTION FOR REHEARING

Respondents, by and through the undersigned attorney, do hereby respond in opposition to Appellant's recently filed Petition(s) and/or Motion(s) for Rehearing pursuant to SCACR, Rule 240(e). In particular, Respondents assert that this Court neither overlooked and/or misapprehended any of Appellant's prior contentions. Accordingly, Appellant's recently filed Petition(s) and/or Motion(s) for Rehearing in this case should be denied.

In order to prevail on a petition for rehearing, the Appellant must demonstrate that the Court overlooked or misapprehended his prior argument(s). Rule 221(a), SCACR. The purpose of a petition for rehearing is not to present points which the losing party may have overlooked or misapprehended, nor is it the purpose of the petition for rehearing to have the

RECEIVED
JUL 18 2014
SC Court of Appeals

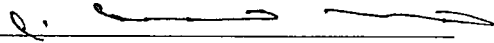
case tried in the appellate court a second time.” Jean H. Toal, Shahin Vafai & Robert Muckenfuss, Appellate Practice in South Carolina 309 (1999) (citing Arnold v. Carolina Power & Light Co., 168 S.C. 163, 167 S.E. 234 (1933)). Appellant had the opportunity to present his argument(s) and evidence when this case was originally heard by the trial court.

Moreover, Appellant undeniably filed his notice of appeal in this matter on April 10, 2013. Thereafter, on May 14, 2014, over a year later, this Court issued an Order clearly and succinctly explaining that the Respondents had filed a motion to dismiss based upon Appellant’s failure to order the transcript and requiring Appellant to provide proof that he made arrangements for the payment of the transcript with twenty (20) days. Plaintiff responded to that Court Order, but his response did not include proof that he made arrangements for the payment of the transcript, as required.

Undeniably, over a year has now passed, Appellant has not satisfactorily ordered the transcript and has still failed to comply with this Court’s prior Order. Indeed, Respondents still have not received a copy of the transcript as required by Rule 207 SCACR from the Appellant. The record remains incomplete and judicial review remains impossible. As such, this Court properly granted the Respondents’ previously filed Motion to Dismiss the appeal. Appellant has not demonstrated that this Court overlooked or misapprehended his prior argument(s). For this reason, Appellant’s Petition(s) and/or Motion(s) for Rehearing should be denied.

(Signature on separate page)

WILLCOX, BUYCK & WILLIAMS, P.A.

By: 
J. Scott Kozacki
S.C. Bar No. 64137
PO Box 1909
Florence, SC 29503-1909
(843) 662-3258 Telephone
ATTORNEY FOR RESPONDENTS

July 17, 2014
Florence, South Carolina

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM FLORENCE COUNTY
Court of Common Pleas

D. Craig Brown, Circuit Court Judge

RECEIVED

JUL 18 2014

SC Court of Appeals

CASE NO. 2011-CP-21-2095

CARMICHAEL T. FLOWERSAppellant

vs.

WILLIAM K. BOONE, CAPTAIN J. BRONSON,
LEAH HARRIS, JOSEPH D. THOMPSON
AND ANN AND/OR JOHN DOERespondents

CERTIFICATE OF SERVICE

PERSONALLY appeared before me, Melisa Hargrove, who being duly sworn, deposes and says that she has served the **Respondents' Return to Petition and/o Motion for Rehearing** on the Appellant, by depositing a copy of same in the United States Mail, postage prepaid, to:

Carmichael T. Flowers #335945
Ridgeland Correctional Institution
Post Office Box 2039, SB36
Ridgeland, SC 29936

DATE OF MAILING: July 17, 2014

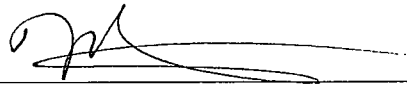
By: 
Melisa Hargrove, Paralegal to J. Scott Kozacki
WILLCOX, BUYCK & WILLIAMS, P.A.
PO Box 1909
Florence, SC 29503-1909
(843) 662-3258 Telephone

Exhibit 9

THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

APPEAL FROM FLORENCE COUNTY
COURT OF COMMON PLEAS

D. CRAIG BROWN, Circuit Judge

CASE NO. # 2011-CP-21-2095

CAR MICHAEL T. FLOWERS Appellant

- VS -

William K. Boone, Capt. J. Bronson
EAH HARRIS, JOSEPH D. THOMPSON
AND ANN AND/OR JOHN DOE

ATTENTION/ACTION
 Read Send Approve Return File
 Change Confirm Review Edit
 Draft Response Notify Client Calendar
Forward to _____ Read copy to _____
Describe _____ Filed _____

RESPONDENT(S)

REPLY TO RESPONDENT(S) RETURN

Appellant responds to Respondent's Return

DEFERRED TO S.C.A.C.R. Rule 240 (F).

A PETITION FOR REHEARING MUST show points
supposedly "overlooked" or "not apprehended" by THE COURT.

ITS purpose is NOT to present points LAWYERS OF
losing parties overlooked or have THE CASE TRIED in THE
supreme COURT for a SECOND TIME. SEE KENNEDY V. SOUTH
CAROLINA RETIREMENT SYSTEM, 564 SE2d 322.

FIRST AND FORMOST Appellant's appeal WAS NEVER DEFECTED AND THE DECISION TO DISMISS WAS NOT BEFORE THE FULL COURT.

HOWEVER ITS MY CONTENTION TO DEMONSTRATE THAT THE COURT DID IN FACT OVERLOOKED, MISAPPREHEND, RELIED UPON SIMULATED FACTS INTENDED TO MISLEAD.

WHEN THE COURT CHOOSE TO FIND FACTS IN ACCORDANCE WITH ITS OWN VIEW OF THE EVIDENCE, IT RELIED UPON INSUFFICIENT EVIDENCE.

(1) THE COURT STATED THAT APPELLANT NEVER FURNISHED THE COURT REPORTER WITH THE DATE OF THE HEARING.

(2) THE COURT STATED THAT APPELLANT "FAILED" TO RESPOND TO COURT REPORTER'S REQUEST FOR THE DATE OF THE HEARING.

(3) THE COURT STATED THAT APPELLANT DID NOT INCLUDE PROOF HE HAS MADE ARRANGEMENTS FOR PAYMENT OF THE TRANSCRIPT.

(4) THE COURT STATED THAT APPELLANT DID IN FACT ORDER THE TRANSCRIPT.

ON SEPT. 19, 2013, APPELLANT DID IN FACT ORDER THE TRANSCRIPT AND REQUEST A "PRICE" AND MOST IMPORTANTLY APPELLANT PROVIDED THE COURT REPORTER WITH THE MARCH 21, 2013 HEARING DATE. SEE ENCLOSED 1

SECONDLY, AS STATED IN MY AFFIDAVIT THE COURT REPORTER MS. HOLMES NEVER COMMUNICATED WITH ME UNTIL I RECEIVED AN UNSIGNED LETTER IN AN ENVELOPE FROM . . .

COURT REPORTER "MANAGER", MS DESIREE R. ALLEN. THIS LETTER ARRIVES 9 MONTHS AFTER I WROTE HER ON SEPT. 19, 2013. IN COURT REPORTER'S LETTER SHE REQUESTS THE DATE OF THE HEARING AND STATES THAT SHE WILL BE ABLE TO GIVE ME AN ESTIMATE ONCE SHE RECEIVES THE INFORMATION REGARDING THE HEARING DATE. SEE ENCLOSED # 2

IN THIS MY SECOND LETTER TO MS. HOLMES SENT OUT IN THE MONTH OF MAY (2014), I MAY HAVE SENT HER THE APPELLATE CASE NO. # 2013-000823, PURSUANT TO CORRESPONDENCE WHICH STATED AND REQUESTED THAT I USE THE ABOVE NUMBER ON ALL FUTURE CORRESPONDENCE RELATING TO THIS MATTER, SEE ENCLOSED # 3

IT SHOULD BE NOTED THAT NONE OF MY REQUESTS FOR A "CLOCK STAMPED COPY" OF MY COMMUNICATIONS WITH THE COURT OF APPEALS AND THE COURT OF ADMINISTRATION HAS BEEN RESPONDED TO.

THIRDLY, THE COURT USED THE EXCUSE THAT APPELLANT DID NOT MAKE ARRANGEMENTS FOR PAYMENT OF THE TRANSCRIPT. APPELLANT COULDN'T MAKE ANY ARRANGEMENTS WITHOUT A PRICE, AND THE COURT STATES I NEVER GAVE COURT REPORTER THE DATE OF THE HEARING. WITHOUT THE COURT REPORTER HAVING THE DATE OF THE HEARING, MAKING ARRANGEMENT WOULD BE MOOT, SEE LETTER FROM COURT REPORTER ENCLOSED

2

When an Appellate Court chooses to find facts in accordance with its own view of the evidence the court must state "distinctly" its finding of fact and the reason for its decision, DEATYBURY V. DEATYBURY (S.C. 2002) 351 S.C. 278, 569 SE2d 367.

THE COURT AND COURT ADMINISTRATION BOTH HAD COPIES OF MY SEPT. 19.13 LETTER TO COURT REPORTER but failed to mention the date of MAR. 21.13 which was the hearing date included in that letter.

THE COURT NEVER MENTION HOW IT GOT ERRONEOUS INFORMATION REGARDING ME (APPELLANT) failing to respond to COURT REPORTER MRS. HOLMES, WHEN SHE NEVER CONTACTED ME UNTIL "AFTER THE FACT", SEE ENCLOSED ENVELOPE DATED July 7.14, WHICH I RECEIVED July 8.14. #4

THE COURT ALSO FAILED TO MENTION MY LETTER TO THE HON. ROSALYN W. FRIERSON, SEE ENCLOSED #5 WRITTEN A MONTH BEFORE THE LETTER FROM COURT REPORTER MANAGER, DESITEE R. ALLEN (COURT ADMIN.).

LASTLY, THE COURT AND RESPONDENTS MADE MENTION OF THE FACT THAT THIS CASE WAS FILED IN THE APPELLATE APRIL 10. 2013, AND ITS NOTES July 24. 2014, I AGREE ITS OVER A YEAR, HOWEVER I'M NOT THE ONLY CONTRIBUTOR TO THAT FACT.

APPELLANT IS UNDER RESTRAINTS THAT THE RESPONDENTS ARE NOT.

APPELLANT WAS GRANTED "IN FORMA PAUPERIS" ON AUG. 14. 2013.

ON SEPT. 11. 13, I WROTE THE RESPONDENTS AND ASKED IF THEY WOULD AGREE TO ORDERING LESS THAN THE WHOLE TRANSCRIPT OR NO TRANSCRIPT, THEY DECLINED.

I WAS THEN CONTACTED BY "KRYSTAL SMITH" A COURT REPORTER WHO GAVE ME THE NAME OF "CRYSTAL HOLMES", AT WHICH TIME I WROTE HER ON SEPT. 19. 13 AND REQUESTED THE TRANSCRIPT, (NO RESPONSE).

APPARENTLY BOTH PARTIES SUBMITTED THEIR INITIAL BRIEFS IN OCT. ON OR ABOUT OCT. 22. 13, THE CLERK OF COURT CONTACTED THE RESPONDENTS BY PHONE AND ASKED IF RESPONDENTS WANTED TO PROCEED WITHOUT THE TRANSCRIPT.

ON OCT. 28. 13, THE CLERK OF COURT FORWARDED A LETTER TO RESPONDENTS THAT STATED THAT BOTH PARTIES HAD FILED THEIR BRIEFS, "THE COURT CAN ONLY ASSUME THAT THE TRANSCRIPT "PREVIOUSLY" ORDERED BY THE APPELLANT IS NO LONGER NEEDED".

APPELLANT IS STILL WAITING ON A RESPONSE FROM THE COURT REPORTER OR COURT ADMINISTRATION, IN THE INTERIM THE RESPONDENTS FILE FOR DISMISSAL OF THE APPEAL, JAN. 29. 2014.

CONCLUSION

THE RECORD WAS THERE, APPARENTLY NO ONE BOOTHERED TO READ IT.

THE EVIDENCE THE COURT RELIED UPON WAS MIS-APPREHENDED AND INSUFFICIENT AND THERE WAS ACTS THE COURT OBVIOUSLY "OVERLOOKED".

THE RESPONDENTS ON THE OTHER HAND WOULD HAVE THE COURT BELIEVE THAT I WOULD ABANDON MY APPEAL BY NOT ADHERING TO THE RULE OF COURT, PARTICULARLY SCACR Rule 207, NOT SO.

"IT HAS BEEN HELD, HOWEVER, THAT INACCURACY IN THE STATEMENT OF FACTS OF THE APPELLATE COURT WILL BE CORRECTED ON PETITION FOR REHEARING". cite omitted.

FOR THE ABOVE REASONS, APPELLANT'S PETITION, AND AFFIDAVIT AND REPLY, FOR REHEARING SHOULD BE GRANTED.

DATE: July 24, 2014
Jasper County

Respectfully,
Carmichael Flowers

Appellant in Pro - SE
CARMICHAEL T. Flowers
Agency # 335945, RCI
P.O. Box 2039, SB 44
Ridgeland, S.C 29934

AFFIANT BELIEVES THAT THIS TESTIMONY IS GIVEN UNDER PENALTY OF PERJURY, OFFERS THIS ATTESTMENT CONSISTANT WITH Rule 11 OF THE SOUTH CAROLINA Rules of Civil procedure; Rule 43(D), OF THE SOUTH CAROLINA Rules of Civil procedure; AND Rule 603 OF THE SOUTH CAROLINA Rules of Evidence.

AFFIANT SAYETH NO FURTHER:

SWORN TO AND SUBSCRIBED BEFORE ME
THIS 25 DAY OF July 2014

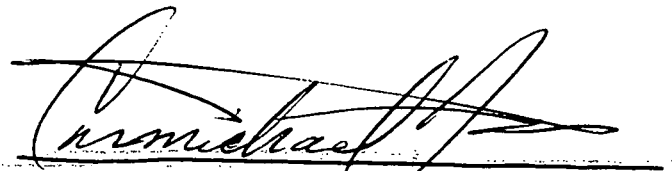
Virginia Robinson

Notary Public for South Carolina

My Commission Expires May 20, 2021

DATE: 7/24/14

JASPER Co.



CARMICHAEL T. FLOWERS

Agency # 335945, RCI

P.O. Box 2039, SB44

Ridgeland, S.C. 29936

THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

APPEAL FROM FLORENCE COUNTY
COURT OF COMMON PLEAS

D. CRAIG BROWN, Circuit Judge

CASE NO. 2011-CP-21-2095

CAMMIEHAEL T. FLOWERS Appellant

- VS -

WILLIAM K. BOOKE, Capt. J. BRUNSON,
LEAH HARRIS, JOSEPH D THOMPSON
AND ANN AND/OR JOHN DOE Respondents

Certificate of Service

I, THE UNDERSIGNED do hereby certify THAT
I HAVE SERVED A COPY of Appellants Reply UPON THE
RESPONDENTS ATTY of Record by depositing THE SAME IN
THE U.S. MAIL, postage prepaid addressed as follows:

J. SCOTT KOZACKI, ESQ
P.O. Box 1909, Florence, S.C. 29503-1909

Date: July 24, 14
Jasper Co.

Cammiehael Flowers
Appellant in Pro-se

SEPT. 19.13

1

Mr. Carmichael T. Flowers
Agency # 335945 / EVANS C.I.
610 HWY # 9 WEST, FI-B-141A
Bennettsville, SC 29512

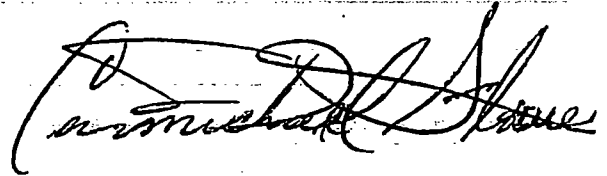
Ms. Crystal M. Holmes
P.O. Box 611
Columbia, S.C. 29202

RE: CA NO# 2011-CP-21-2095

Ms. Holmes,

A HEARING WAS HELD in Florence County, IN THE COURT
of Common Pleas on MAR. 21.13 IN THE ABOVE MATTER; please
provide me with the "minimal cost" for this transcript, thanks

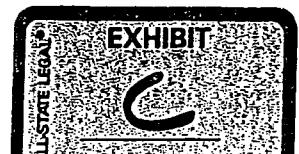
With Kind Regards...



c. J. SCOTT KOZACKI, ESD.

c. S.C. Court of Administration

c. Appellate Court



2

CRYSTAL M. HOLMES
P.O. BOX 611, COLUMBIA,
SOUTH CAROLINA 29202-0611

May 29th, 2014

Carmichael T. Flowers
Agency # 3359445, RCI
PO Box 2039, SB44
Ridgeland, SC 29936

Case Number: 2011-CP-21-2095

Dear Mr. Flowers,

I have received your request for a transcript in the above-referenced matter. The cost of a transcript is \$3.25 per page plus shipping and handling. After reviewing your request I did not see where you included the date of the hearing. Your letter indicated the hearing was held in Florence Co. before Honorable D. Craig Brown in Common Pleas.

If you would tell me the date the hearing took place I will be able to locate the hearing and give an estimate on the transcript.

If you have any further questions, please contact me at the above address. Thank you.

Sincerely,

Crystal M. Holmes



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The South Carolina Court of Appeals

JENNY ABBOTT KITCHINGS
CLERK

V. CLAIRE ALLEN
DEPUTY CLERK

POST OFFICE BOX 11629
COLUMBIA, SOUTH CAROLINA 29211
1015 SUMTER STREET
COLUMBIA, SOUTH CAROLINA 29201
TELEPHONE: (803) 734-1890
FAX: (803) 734-1839
www.sccourts.org

April 22, 2013

Carmichael Flowers, 335945
Evans Correctional Institution
610 Highway #9, West
Bennettsville SC 29512

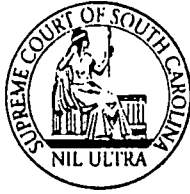
Re: Carmichael Flowers v. William K. Boone
Appellate Case No. 2013-000823

Dear Counsel:

This Court has received your notice of appeal, and the case has been assigned the appellate case number that appears above. Please use this number on all future correspondence relating to this matter.

All parties to this matter are advised that all filings must comply with the requirements of Rule 267 of the South Carolina Appellate Court Rules (SCACR). The SCACR are available online at www.sccourts.org/courtreg. Additionally, any filings submitted by counsel admitted in South Carolina must include counsel's bar number.

The attention of the parties is directed to the order relating to the inclusion of personal data identifiers and other sensitive information in documents filed with the Supreme Court of South Carolina and the South Carolina Court of Appeals. The order can be found at www.sccourts.org/courtOrders/HTMLFiles/2007-08-13-02.htm. Please note that the responsibility for insuring that information is redacted or sealed as required by this order rests with counsel and the parties. This office will *not* review filings for redaction or to determine if materials should be sealed.



4
2 of 2

**South Carolina Court Administration
South Carolina Supreme Court
Columbia, South Carolina**

ROSALYN FRIERSON
DIRECTOR

1015 SUMTER STREET, SUITE 200
COLUMBIA, SOUTH CAROLINA 29201
TELEPHONE: (803) 734-1800
FAX: (803) 734-0269

July 1, 2014

Carmichael Flowers #335945
RCI
P. O. Box 2039
Ridgeland, SC 29936

Dear Mr. Flowers:

This is in response to your letter received dated June 25, 2014, which was forwarded to the Court Reporter Section for response. Our records reflect and we have attached the letter that Ms. Holmes has sent in response to your request.

Please follow the instructions outlined in her letter and provide the date of the hearing for the transcript you are requesting.

Sincerely,

Desiree R. Allen
Court Reporter Manager

Enclosure: Unsigned copy of letter
CC: Crystal-M. Holmes, Court Reporter

JUNE 19, 2014

#5

THE HON. ROSALYN W. FRIERSON
Dir. SOUTH CAROLINA Court Admin.
1015 SUMNER STREET, STE 200
COLUMBIA, S.C. 29201

RE: CARMICHAEL T. FLOWERS
Appellant

VS

William K. BOONE, ET AL
Respondents CASE NO. # 2013-000823

DEAR MS. FRIERSON,

I SENT THE COURT ADMIN. A COPY OF 2ND LETTER TO COURT REPORTER CRYSTAL M. HOLMES REQUESTING THE TRANSCRIPT, HOWEVER I HAVE NOT RECEIVED A STAMPED CONFIRMATION.

SECONDLY, I HAVE NOT RECEIVED THE TRANSCRIPT IN A TIMELY MANNER.

With the kindest of regards. . . I Am,

Sincerely,
Carmichael Flowers

- 1 Court Admin.
- 1 Jerome Scott Kozacki, ESQ
- 1 S.C. Appellate Court
- 1 Court Reporter Crystal M. Holmes

Exhibit 10

