

CONSTANTINE S. CHRISTOPHILLIS

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RECEIVED

JAN 15 2015

January 12, 2015

SC Court of Appeals

Jenny Abbott Kitchings
Clerk of Court
SC Court of Appeals
PO Box 11629
Columbia, SC 29211

Re: *Senor Wraps, Inc., v. E. Kwang Kim, as trustee of the E. Kwang Kim Revocable Trust dated January 5, 2007, and E. Kwang Kim*
Civil Action No. 2013-CP-23-00179
Appellate Case No. 2014-002201

Dear Ms. Kitchings:

I am writing about the status of the transcript in the above matter. In this regard, I enclose herewith a copy of the following email thread:

1. My email to Court Reporter April Herron of January 6, 2015, 5:30 PM.
2. Ms. Herron's email to me of January 6, 2015, 9:17 PM.
3. My email to Ms. Herron of January 6, 2015, 10:11 PM.
4. My email to Ms. Herron of January 9, 2015, 3:24 PM.
5. My email to Ms. Herron of January 9, 2015, 4:18 PM.
6. Ms. Herron's email to me of January 11, 2015, 12:27 PM.
7. My email to Ms. Herron of January 12, 2015, 2:18 PM.
8. Ms. Herron's email to me of January 12, 2015, 2:29 PM.

I also enclose a copy of Ms. Herron's letter dated October 31, 2014, which accompanied her email to me of January 6, 2015, 9:17 PM. That was my first receipt of her letter.

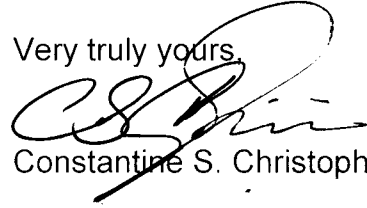
The emails show Ms. Herron and I have cleared up the confusion about the transcript and that she has been paid per her estimation of costs. Next, Ms. Herron is to obtain an extension from Court Administration.

I thank the Court for its patience in allowing me to clarify this matter and get the transcript on its way. I will continue to monitor the situation until the transcript has been received. In the meantime, please call if there are any further questions or concerns about this matter.

Jenny Abbott Kitchings, Clerk of Court
Re: Appellate Case No. 2014-002201
January 12, 2015

With kind regards, I remain

Very truly yours,



Constantine S. Christophillis

CSC/plm

Enclosures

Cc: Joseph W. Rohe, Esq.
Kurt M. Rozelsky, Esq.
William B. Swent, Esq.
Smith Moore Leatherwood, LLP
2 W. Washington Street, Suite 1100
Greenville, SC 29601
Attorneys for Respondents-Appellants

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

Constantine Christophillis

From: Herron, April P. <AHerron@sccourts.org>
Sent: Monday, January 12, 2015 2:29 PM
To: Constantine Christophillis
Subject: RE: URGENT REQUEST FOR TRANSCRIPT RE: Senor Wraps, Inc. v. Kim, et al. - Appellate Case No. 2014-002201

Constantine,

Yes, I received the check. I will let Desiree know as well that I received payment.

Thank you.

April P. Herron
Thirteenth Circuit Court Reporter
The Honorable Robin B. Stilwell
P.O. Box 17675
Greenville, SC 29607

RECEIVED
JAN 15 2015
SC Court of Appeals

From: Constantine Christophillis <cschristophillis@bellsouth.net>
Sent: Monday, January 12, 2015 2:18 PM
To: Herron, April P.
Subject: RE: URGENT REQUEST FOR TRANSCRIPT RE: Senor Wraps, Inc. v. Kim, et al. - Appellate Case No. 2014-002201

April,

I came by Courtroom #8 at 12:30pm today but Judge Stilwell was still in session in a busy courtroom. I left the check in an envelope addressed to you with the bailiff sitting by the door at the back of the courtroom. He said he knew you and would give it to you during the next break. Can you confirm for me that you received the check so I can let Desiree Allen know?

You can then call her and she will be ready to grant the extension. Thanks again for your gracious cooperation. Take care.

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-----Original Message-----

From: Herron, April P. [mailto:AHerron@sccourts.org]
Sent: Sunday, January 11, 2015 12:27 PM
To: Constantine Christophillis
Subject: RE: URGENT REQUEST FOR TRANSCRIPT RE: Senor Wraps, Inc. v. Kim, et al. - Appellate Case No. 2014-002201

Constantine,

Thank you for letting me know about the extension. I have been awaiting a response from Desiree on that. Yes, your secretary can deliver it to the courthouse on Monday. I am in courtroom 8 working with Judge Stilwell. We will be starting at 9:30 Monday morning. Yes, a check from your firm is fine. I'm sorry too for all the confusion. I will try my best to have it to you as soon as I can.

Thanks.

April P. Herron
Thirteenth Circuit Court Reporter
The Honorable Robin B. Stilwell
P.O. Box 17675
Greenville, SC 29607

From: Constantine Christophillis <cschristophillis@bellsouth.net>
Sent: Friday, January 9, 2015 4:18 PM
To: Herron, April P.
Subject: RE: URGENT REQUEST FOR TRANSCRIPT RE: Senor Wraps, Inc. v. Kim, et al. - Appellate Case No. 2014-002201

April,

After sending the below email, I called Court Administration and spoke with Desiree Allen. She said she also spoke with you. She said they don't consider a request made until the court reporter's fee has been paid. Of course, since I did not get your October 31 letter until this Tuesday, I did not know what amount to send you. Desiree said she cannot grant an extension until you have been paid. I stand ready to pay you the \$827.50 you quoted. In light of the difficulties we have had with the US Mail, I would rather get a check to you in hand. Can I have my secretary deliver it to you at the courthouse on Monday or could you possibly pick it up from my office? Please let me know your preference for the most expeditious way to get you the check. Also, I can understand you not wanting a personal check from my client, but will you accept one of my law office checks or must the payment be certified funds or money order? Please let me know. Thanks and sorry for the confusion.

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-----Original Message-----

From: Constantine Christophillis [mailto:cschristophillis@bellsouth.net]
Sent: Friday, January 09, 2015 3:24 PM
To: aherron@sccourts.org
Subject: FW: URGENT REQUEST FOR TRANSCRIPT RE: Senor Wraps, Inc. v. Kim, et al. - Appellate Case No. 2014-002201

April,

The Court of Appeals is really pushing for an extension. I am fine with whatever time you need and Court Administration will grant.

Have you happened to obtain one from Court Administration as of yet? If so, I need a copy to send to the Court of Appeals. If not, please do so before the day is out since it is such a critical matter. Please let me know where you stand with the extension.

Thanks for your prompt attention to this.

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-----Original Message-----

From: Constantine S. Christophillis [mailto:cschristophillis@bellsouth.net]
Sent: Tuesday, January 06, 2015 10:11 PM
To: Herron, April P.
Subject: Re: URGENT REQUEST FOR TRANSCRIPT RE: Senor Wraps, Inc. v. Kim, et al. - Appellate Case No. 2014-002201

April,

Thanks for your quick reply. I didn't think you'd ignore me and now I understand why there was confusion. For some odd reason I never got your 10/31 letter. If I had, I certainly would not have gone through so much time and trouble going back and forth with the Court of Appeals about the transcript or putting you through any concerns. I am relieved now that we are on track. As long as the Court is content, I don't mind you taking the time you need to get the transcript out. I would greatly appreciate your contacting the Court of Appeals and Court Administration tomorrow to obtain a formal extension for whatever time you need. They have been very nice and accommodating with this appeal. Please let me know what they will do about the extension request. As soon as I have word that they have granted the extension, I will mail you a check for your fee. Thank you very much for your understanding and cooperation in this important matter. Best wishes.

> Constantine S. Christophillis
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Sent from my iPad

> On Jan 6, 2015, at 9:17 PM, "Herron, April P." <AHerron@sccourts.org>
> wrote:
>
> Constantine,
>
> I received a letter from you dated October 16, 2014. I responded to

your letter on October 31, 2014 regarding payment and procedure of receiving the transcript. Until I received your email, I have not received anything from you. So, I assumed you no longer needed the transcript. I am so sorry for all this confusion but I honestly had no idea that the request was even pending. Attached is the letter that I sent October 31, 2014. You also referenced a copy of your letter of December 22, 2014, to the Clerk of Court being available for pick-up at my P.O. Box since December 23, 2014. I picked up two weeks of mail last week from my P.O. Box after being on vacation for two weeks and I did not receive a letter from you or a copy of a letter from you to the Clerk of Court. Or a letter from you of any sort.

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> ?
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> ?I am not certain where all the confusion lies and I realize that
> this

is of the up-most importance to you. I can't expedite the transcript at this time. I have 1300 pages pending and am in court every day. The best that I can do is have it to you within 30 days.

>
>
> Thank you.

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>
>
>
> April P. Herron
> Thirteenth Circuit Court Reporter
> The Honorable Robin B. Stilwell
> P.O. Box 17675
> Greenville, SC 29607

>
> _____
> From: Constantine Christophillis <cscrhristophillis@bellsouth.net>
> Sent: Tuesday, January 6, 2015 5:30 PM
> To: Herron, April P.
> Subject: URGENT REQUEST FOR TRANSCRIPT RE: Senor Wraps, Inc. v. Kim,
> et
al. - Appellate Case No. 2014-002201

>
> April,
>

> I have not heard from you regarding my letter to you of October 16,
> 2014,

requesting the transcript of the entire proceeding in the above matter that took place on June 12, 2014, before Judge Robin Stilwell. In this regard, please see attached my request letter of October 16, 2014, the letter of December 17, 2014, from the Clerk of the Court of Appeals, and my letter of December 22, 2014, to the Clerk of the Court of Appeals. USPS Tracking shows that my October 16, 2014, letter was received by you on October 28, 2014, and your copy of my letter of December 22, 2014, to the Clerk of Court has been available for pick-up at your PO Box since December 23, 2014.

>
> As you can see, I have been under considerable pressure by the Court
> of

Appeals to obtain the transcript and if I cannot show them some progress in this regard, they have indicated they will dismiss the appeal. This would have serious repercussions and simply cannot happen. It can all be prevented and we can get on track if you would be so kind as to please grant me the courtesy of a response.

>

> Please promptly reply to this email or give me a call in the morning

> so we

can make the necessary arrangements for delivery of the transcript, including agreement regarding payment for its preparation.

>

> I look forward to hearing from you very soon. Thanks for your cooperation.

>

> Constantine S. Christophillis

> Attorney At Law, PA

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>

> ~~~ CONFIDENTIALITY NOTICE ~~~ This message is intended only for the addressee and may contain information that is confidential. If you are not the intended recipient, do not read, copy, retain, or disseminate this message or any attachment. If you have received this message in error, please contact the sender immediately and delete all copies of the message and any attachments.

> <pmtletrx.pdf>

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*April P. Herron
Circuit Court Reporter
P.O. Box 17675
Greenville, SC 29606*

October 31, 2014

Mr. Constantine S. Christophillis
Attorney at Law
201 Whitsett Street
Greenville, SC 29601

RECEIVED
JAN 15 2015
SC Court of Appeals

JUDGE: Robin B. Stilwell
DATE TAKEN: June 12, 2014
LOCATION: Greenville
CASE: Senor Wraps v. E. Kwang Kim, et al

Dear Mr. Christophillis:

I have received your request for a copy of the Transcript of Record in the above-entitled case. I have checked my records and have estimated the transcript to be approximately 250 pages at the rate of \$3.25 per page, totaling \$812.50. Plus estimated postage of \$15.00, for a total estimated cost of \$827.50.

Upon receipt of your certified check or money order (**no personal checks from clients**) I will commence typing the transcript.

I am given 60 days in which to complete the record. Requests are prepared in the order in which they are received. Extensions of time may be granted, if needed. My 60 days in which to prepare the transcript will not commence until receipt of payment.

Sincerely,

April P. Herron
Circuit Court Reporter

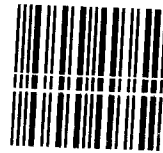
ASCII disk or E-Mail available for \$35.00
Compressed - \$30.00
Word Indexing - \$30.00

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CERTIFIED MAIL™



7012 1640 0001 8836 6267



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29211

U.S. POSTAGE
PAID
GREENVILLE, SC
29602
JAN 12 2015
AMOUNT

\$4.00

00077939-07

Jenny Abbott Kitchings
Clerk of Court
SC Court of Appeals
PO Box 11629
Columbia, SC 29211

RECEIVED

JAN 10 2015

SC Court of Appeals

ATTN: ELLA

2921131629 5012

