

# DILLIGARD EDWARDS, LLC

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LATONYA DILLIGARD EDWARDS † \*  
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† ALSO LICENSED IN NORTH CAROLINA  
\* CERTIFIED CIRCUIT COURT MEDIATOR

February 24, 2015

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

Re: Austin Maintenance v. SC Second Injury Fund  
Appellate Case No.: 2014-002705

Dear Ms. Allen:

Please allow this correspondence to follow up on your correspondence to me dated February 17, 2015 with regards to the above-referenced appeal being dismissed if the Court was not in receipt of South Carolina Second Injury Fund's Initial Brief, along with a Motion to File Out of Time within ten (10) days from February 17, 2015.

As I indicated in my e-mail to you on February 18, 2015, a copy of which is attached as Exhibit "A", South Carolina Second Injury Fund appealed this case and requested the circuit court hearing transcript on December 19, 2014. The hearing transcript would have been due no later than February 19, 2015, and the Appellant's Initial Brief would have been due thirty (30) days from the receipt of transcript, on or about mid-March 2015.

For your reference, I have also attached as Exhibit "B" a copy of my letter requesting a copy of the circuit court hearing transcript, which was included with my appeal. On February 18, 2015, my paralegal, Erica Samuel, contacted South Carolina Court Administration to obtain a telephone number or e-mail address for the court reporter in order to find out the status of the hearing transcript. My paralegal e-mailed the court reporter, Crystal Holmes, on February 18, 2015, a copy of which is attached as Exhibit "C" and requested status of the hearing transcript. As of today, we have not received a response from Ms. Holmes.

**RECEIVED**

FEB 25 2015

**SC Court of Appeals**

V. Claire Allen, Deputy Clerk

February 24, 2015

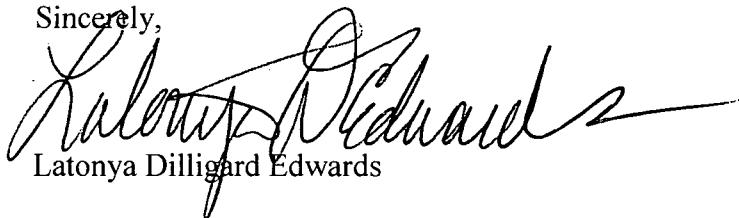
Page 2

I would respectfully request that this appeal not be dismissed and allow additional time for South Carolina Second Injury Fund to communicate directly with the court reporter and receive the hearing transcript.

By copy of this letter to opposing counsel, I am notifying him of this correspondence.

Thank you in advance for your attention to this matter and I look forward to hearing from you in near future.

Sincerely,



Latonya Dilligard Edwards

LDE/ems

Enclosures

cc: B. Gibbs Leaphart, Jr., Esquire (w/encls.)

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FEB 25 2015

**SC Court of Appeals**

**Latonya Dilligard Edwards**

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**From:** Latonya Dilligard Edwards <latonya@dilligardedwards.com>  
**Sent:** Wednesday, February 18, 2015 11:42 AM  
**To:** Allen, Claire (CAllen@sccourts.org)  
**Cc:** 'Leaphart, B. Gibbs'; Calamas, Pete (PCalamas@sifoperations.sc.gov); Erica Samuel (erica@dilligardedwards.com)  
**Subject:** Austin Maintenance v. SC Second Injury Fund, 2014-002705

Dear Ms. Allen:

I received your letter today indicating that our Appellant's brief should have been filed and that I have ten (10) days to file my Initial Brief . On December 19, 2014 we appealed this case and requested a transcript. According to SCACR 207 (a)(2) the transcript is due sixty (60) days from my December 19, 2014 request, which would place the transcript receipt date on or about February 19, 2015. According to SCACR 208 (a) (1), Appellant's Initial Brief is due thirty (30) days after receipt of the transcript. Accordingly, if I receive the transcript on February 19, 2015, my Initial Brief should be due on or about mid-March 2015.

Please advise.

Thanks.

Latonya

**Latonya Dilligard Edwards, Esquire**  
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**Exhibit "A"**

**SC Court of Appeals**

# DILLIGARD EDWARDS, LLC

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December 19, 2014

Ms. Crystal M. Holmes  
Post Office Box 611  
Columbia, South Carolina 29202

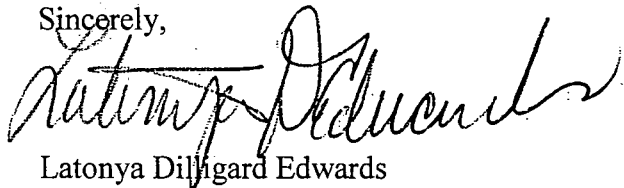
Re: S.C. Second Injury Fund v. Indemnity Insurance Co. of North America  
[In Re: Harold Thompson, Jr. v. Austin Maintenance & Construction, Inc.]  
C/A Case No.: 2013-CP-40-03649

Dear Ms. Holmes:

On September 11, 2014, the above-referenced case was heard in the Court of Common Pleas of the Fifth Judicial Circuit for Richland County. My records indicate that you were the court reporter for this case.

I am requesting that you provide me with a transcript of the proceedings. Please transcribe the entire record. I agree to pay the per page charge for this transcript as provided by Rule 607 of the South Carolina Appellate Court Rules.

Sincerely,



Latonya Dilligard Edwards

LDE/ems

cc: The Honorable Jenny Abbott Kitchings, Clerk, SC Court of Appeals  
Amy Bracy, Judicial Director, SCWCC  
S.C. Court Administration  
B. Gibbs Leaphart, Jr., Esquire

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FEB 25 2015

Exhibit "B"

SC Court of Appeals

## Erica Samuels

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**From:** Erica Samuels <Erica@dilligardedwards.com>  
**Sent:** Wednesday, February 18, 2015 11:44 AM  
**To:** 'cholmes@sccourts.org'  
**Subject:** C/A No.: 2013-CP-40-03649 S.C. Second Injury Fund v. Indemnity Insurance Co. of North American

**Importance:** High

Good morning Ms. Holmes:

Upon receipt of this e-mail, could you give me a call at (803) 750-2214. Latonya Dilligard Edwards, Esquire of Dilligard Edwards, LLC requested the circuit court hearing transcript in the above-matter on December 19, 2014 and I wanted to check the status of this request.

Thank you in advance for your assistance and I look forward to hearing from you in the very near future.

Sincerely,

**Erica M. Samuel, Paralegal**  
**Dilligard Edwards, LLC**  
**3790 Fernandina Road, Suite 103**  
**Columbia, South Carolina 29210**  
**(803) 750-2214 (telephone)**  
**(803) 750-2377 (facsimile)**

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**SC Court of Appeals**

**Exhibit "C"**