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**THE STATE OF SOUTH CAROLINA**  
In The Court of Appeals

APPEAL FROM ORANGEBURG COUNTY  
Court of Common Pleas

Diane Shafer Goodstein, Circuit Court Judge

**RECEIVED**

JUL 24 2015

SC Court of Appeals

Case No. 2014-001683

Wells Fargo Bank, N.A.,

Respondent,

v.

Dorothy Sistrunk,

Appellant.

**MOTION FOR EXTENSION OF TIME  
TO PRINT RECORD ON APPEAL**

July 24, 2015

Dorothy Sistrunk  
423 Bayne Street  
Orangeburg, South Carolina 29115  
(803) 268-0716

Michael Anzelmo  
SC Bar No. 72933  
1320 Main Street / 17<sup>th</sup> Floor  
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Comes now the Appellant, Dorothy Sistrunk, to file her Motion to Extend Time to Print the Record on Appeal.

### **THE FIRST ISSUE IS NUMBERING THE PAGES**

1. This request to extend time is necessary in order to print the Record on Appeal and forward copies to all parties that have filed a brief. The Record on Appeal was Notary Certified on July 17, 2015. However, an issue has arisen relative to numbering the Record on Appeal and the number of indices. There are 50 pages of indices in my Record on Appeal. Rule 210(c), SCACR clearly states in pertinent parts; **“Each page of the Record on Appeal shall be numbered consecutively beginning with the index.”** There is nothing in the Rule that clearly states how this is to be done --- with Arabic Numbers or with lower case Roman Numerals. Therefore, printers will not print the Record until this matter is resolved.

2. The original cover pages and indices on Volumes II-V were all numbered with Arabic numbers, i.e., 0, 1, 2, 35, 105, 800, 1001, 1756, etc.. {*See Examples in Attached Exhibits*) This is according to the Rule. However, no printer in Orangeburg, South Carolina, will print the Record on Appeal because they have no experience doing it. The printers in Columbia, South Carolina that have experience are reluctant to print the Record because the Volumes are numbered and they have never printed an Appeal for South Carolina’s Appellate Court with numbered Volumes, with over 50 numbered Indices or with hundreds of exhibits that are thoroughly explained in the indices.

### **THE SECOND ISSUE IS RELUCTANCE TO CHARGE FOR PRINTING AN APPEALS RECORD THE APPELLATE COURT MIGHT NOT ACCEPT**

3. The second issue is a reluctance to charge for printing the Appellate Court might not accept. The printers to which the Appellant have gone in Columbia, South Carolina are honorable and decent people that do not want to charge thousands of dollars for a Record on Appeal the Appellate Court might reject. Therefore, they need time to talk with others that have experience printing multiple volumes with multiple indices (without or without descriptions and/or explanations), so as to determine the precise numbering method that was used and accepted or must be used to be accepted by the Court.

4. On July 17, 2015, no printer would print the Appeal with Arabic Numbers on the Indices and on **Volumes II-V**. Therefore, the Appellant’s husband revised all the indices

with lower case Roman Numerals., i.e., i, ii, iv, viii, xxii, xxxii. etc., and removed the Arabic Numbers from the cover pages on **Volumes II-V**. {See Attached Exhibits, *Numbering ROA (New)*}. He also, added a complete index to **Volumes II-V** in the Record on Appeal. This was intended to help alleviate printer concerns that there was no index in **Volume I** to **Volumes II-V**. However, adding a **Master Index for Volumes I-V**, has seemingly made matters worse and printing has been halted until these matters are satisfactorily resolved.

5. Rule 210(e), SCACR, clearly states in pertinent parts; **“Every Record on Appeal shall contain an index to the principal matters therein to include orders, judgments, decisions, pleadings, pretrial matters, opening statements, testimony, motions, closing arguments, jury charges, post-trial motions and exhibits. For witness testimony, the index shall show the pages on which direct, cross, redirect and recross examination begins.”** There is no mentioning that **Volume I** must have an index for **Volumes II-V**. In fact, there is no rule or reference as to what to do in the event there are multiple Volumes and more than one index is required.

**THE THIRD UNSPOKEN ISSUE, REASON &  
CONTRIBUTING FACTOR TO THE RELUCTANCE  
TO PRINT MY RECORD ON APPEAL AS ORIGINALLY WRITTEN**

6. Even though no printer has openly stated this; based on the across the board reluctance to print my Record on Appeal by Columbia’s experienced printers as it was originally written, I am certain the third unspoken issue, reason and contributing factor for this reluctance is my *Pro Se* status. These printers do not want to take my money because they covertly believe, I do know what I am doing....and they are right. I do not know what I am doing. This is why, I rely on Appellate Courts in other states that have clearly written instructions in local rules. See the following excerpts from Florida.

**DISTRICT COURT OF APPEAL, FIRST DISTRICT**

Tallahassee, FL 32399-1850  
Telephone (850) 488-6151

Date: September 3, 2010

Administrative Order 10-4

d. If a record contains multiple volumes, all volumes of the record on appeal being submitted to the court electronically must be included in the same document. A copy of the index to all volumes of record must be contained at the beginning of the record. Subsequently filed volumes of supplemental record may be transmitted as separate documents. If a record on appeal contains transcripts, those should be electronically filed with the record on appeal. Transmittal letters are not permitted to be filed electronically or in paper with the record on appeal.

7. The above reference is only for Appeals that are filed electronically. On Tuesday, July 21, 2015, the owner of the printing company I trust the most to print the Record on Appeal went to the Appellate Court to make inquiries about the structure of the Record on Appeal; especially, the indices and the index to **Volumes II-V** being included in **Volume I**. All he was told was that the Record on Appeal cannot contain anything new. The following excerpts are from the Texas Court of Criminal Appeals.

**“APPROVED BY THE SUPREME COURT OF TEXAS  
AND THE TEXAS COURT OF CRIMINAL APPEALS  
TENTH COURT OF APPEALS (WACO)  
STATE OF TEXAS  
LOCAL RULES FOR ELECTRONIC FILING  
EFFECTIVE \_\_\_\_\_**

The procedures prescribed by these local rules apply in lieu of those prescribed by the Texas Rules of Appellate Procedure to the extent there are differences between the procedures; otherwise, the Rules of Appellate Procedure continue to apply with full force and effect.

**RULE 1. CLERK'S RECORD.**

Unless otherwise stated, all references to a rule herein are to the Texas Rules of Appellate Procedure.

**RULE 1.1. PREPARATION OF CLERK'S RECORD.**

The trial court clerk must prepare and file the clerk's record in accordance with Rules 34.5 and 35. Even if more than one notice of appeal or request for inclusion of items is filed, the clerk should prepare only one record in a case. To prepare the clerk's record, the trial court clerk must:


- a. gather the documents required by Rule 34.5(a) and those requested by a party under Rule 34.5(b);
- b. start each document on a new page;
- c. include the date of filing on each document;
- d. arrange the documents in ascending chronological order, by date of filing or occurrence;

- e. start the page numbering on the front cover of the first volume of the clerk's record and continue to number all pages consecutively – including the front and back covers, tables of contents, certification page, and separator pages, if any - until the final page of the clerk's record, without regard for the number of volumes in the clerk's record, and place each page number at the bottom of each page;
- f. prepare, label, and certify the clerk's record as required by this rule;
- g. as far as practicable, include the date of signing by the judge on each order and judgment;" **[End Excerpts]**

7. We have reviewed Appellate procedures in 33 States, Canada, Australia and New Zealand. When it comes to the Record on Appeal, the rules are similar. Therefore, I personally do not understand why it is so difficult to print my Record for the Appeal. This motion is made in good faith, in the abundance of caution and not for the purposes of unnecessary delay. I had no idea, printing my Record on Appeal would be such a problem. Other than references in this Motion, there are no additional Citations to Authorities with this Motion.

Thank you for considering my Motion to Extend time to find a printer that will print the Record on Appeal and for a reasonable price. Since the Record on Appeal is still not printed, I cannot delay filing this motion.

Respectfully Submitted;

  
Dorothy Sistrunk

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JUL 24 2015

SC Court of Appeals

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

APPEAL FROM ORANGEBURG COUNTY  
Court of Common Pleas

Diane Shafer Goodstein, Circuit Court Judge

2014-001683

Wells Fargo Bank, N.A.,

Respondent,

v.

Dorothy Sistrunk,

Appellant.

**PROOF OF SERVICE**

I certify that I have served a copy of the Motion to Extend Time to Print the Record on Appeal, **Volumes I-V**, to Wells Fargo Bank, N.A., by depositing a copy of it in the United Parcel Service, UPS, postage prepaid, on July 24, 2015, addressed to Wells Fargo's attorney of record that has served a brief and the said attorney is listed below.

Today's Date: July 24, 2015

/s Dorothy Sistrunk  
Dorothy Sistrunk  
423 Bayne Street  
Orangeburg, South Carolina 29115  
Ph: (803) 268-0716  
Fx: (803) 534-6727

CC:

Attorney Michael Anzelmo  
SC Bar No. 72933  
1320 Main Street / 17<sup>th</sup> Floor  
Post Office Box 11070 (29211-1070)  
Columbia, SC 29201  
(803) 799-2000

**Please Note for the Record:** Attorney Elizabeth Scott Moise (Has not served a brief.)

423 Bayne Street • Orangeburg, SC 29115 • Ph: 803-268-0716 • Fx: 803-534-6727

July 24, 2015

**MOTION TO EXTEND TIME**

**THE ISSUE:  
NUMBERING THE RECORD ON APPEAL & INDICES**

The Honorable Jenny Abbot Kitchings & V. Claire Allen  
Clerk of Court & Deputy Clerk of Court; Respectively,  
South Carolina Court of Appeals  
POB 11629  
Columbia, SC 29211

**RECEIVED**  
JUL 24 2015  
SC Court of Appeals

RE: Wells Fargo Bank, N.A. v. Dorothy Sistrunk  
Civil Action Case #2008-CP-38-1024  
Appellate Case #2014-001683

Ms. Kitchings and/or Ms. V. Claire Allen,

Enclosed is \$25.00 for my Motion to Extend Time to Print the Record on Appeal and Proof of Service. The Record on Appeal was Notary Certified on July 17, 2015. However, an issue arose relative to numbering the Record on Appeal and the Indices. Rule 210(c), SCACR clearly states in pertinent parts; **“Each page of the Record on Appeal shall be numbered consecutively beginning with the index.”** There is no indication in the Rule how this is to be done. Columbia’s printing companies that have experience are reluctant to print my Record on Appeal in its original form or revised form. The issues are numbering the volumes, the number of pages in the indices (50), and the detailed explanation and description of exhibits in the indices. *{See Attached Examples in the Attached Exhibits & Numbering ROA (New)}*

Therefore, I must find a printing company that will print the Record, either in its original form with numbered Volumes and Indices or in its revised form with lower case Roman Numerals for the Indices. Thank you.

*is Dorothy Sistrunk*  
\_\_\_\_\_  
Dorothy Sistrunk

CC:

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Post Office Box 11070 (29211-1070)  
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Dorothy Sistrunk  
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Orangeburg, South Carolina 29115

The Honorable Jenny Abbott Kitchings  
Clerk of Court  
South Carolina Court of Appeals  
Post Office Box 11629  
Columbia, SC 29211