

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

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APPEAL FROM GREENVILLE COUNTY  
Court of Common Pleas

Letitia H. Verdin, Circuit Court Judge

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Case No. 2012-CP-23-3532  
Appellate Case No 2015-001744

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Check First of Greenville, LLC  
d/b/a Evo Merchant Coop.,

Appellant,

v.

Merchant Services of the  
Upstate, Inc., and Alfred J.  
Pearce, IV,

Respondents.

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MOTION FOR LEAVE TO REQUEST TRANSCRIPT OUT OF TIME

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The Appellant, through its undersigned counsel, respectfully requests this Honorable Court grant leave to order the transcript of the proceedings outside of the time limits set by Rule 207 of the South Carolina Appellate Court Rules.

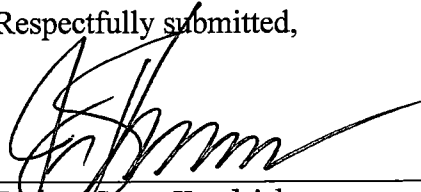
Counsel neglected to order the transcript within ten days of the notice of appeal based on an oversight in reviewing the Rule. Counsel mistakenly thought the deadline was thirty days. Counsel has now ordered the transcript and provided a copy of the transcript order to the Court.

This short delay in ordering the transcript should cause no prejudice to either party and will

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SC Court of Appeals

cause very little, if any, delay in the completion of this appeal. For these reasons, counsel for the Appellant respectfully requests the Court excuse counsel's mistake and allow the transcript to be ordered outside of the deadline.

Respectfully submitted,



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Joshua Snow Kendrick  
Christopher S. Leonard  
KENDRICK & LEONARD, P.C.  
P.O. Box 6938  
Greenville, SC 29606  
(864) 760-4000  
[Josh@KendrickLeonard.com](mailto:Josh@KendrickLeonard.com)

Attorneys for the Appellant

September 9, 2015  
Greenville, South Carolina

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

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Case No. 2012-CP-23-3532  
Appellate Case No 2015-001744

Check First of Greenville, LLC  
d/b/a Evo Merchant Coop.,

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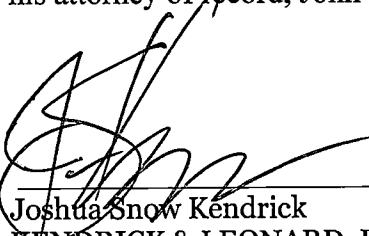
Merchant Services of the  
Upstate, Inc., and Alfred J.  
Pearce, IV,

Respondents.

PROOF OF SERVICE

I certify that I have served the **MOTION FOR LEAVE TO REQUEST TRANSCRIPT OUT OF TIME** on The Respondents, by depositing a copy of it in the United States Mail, postage prepaid, on September 9, 2015, addressed to his attorney of record, John Read, Esquire, 101 West Park Ave, Greenville, SC 29601.

September 9, 2015



Joshua Snow Kendrick  
KENDRICK & LEONARD, P.C.  
P.O. Box 6938  
Greenville, SC 29606  
(864) 760-4000  
[Josh@KendrickLeonard.com](mailto:Josh@KendrickLeonard.com)

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LEONARD, P.C.**  
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JOSHUA SNOW KENDRICK  
JOSH@KENDRICKLEONARD.COM

CHRISTOPHER S. LEONARD  
CHRIS@KENDRICKLEONARD.COM

September 9, 2015

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

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SC Court of Appeals

Re: *Check First v. Merchant Services*  
*Appellate Case No. 2015-001744*

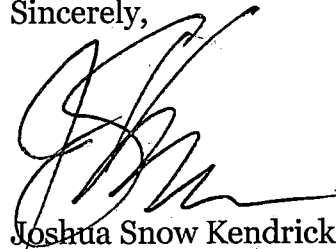
Dear Ms. Allen:

I hope you are well. I have enclosed an original *Motion for Leave to Request Transcript Out of Time* and six copies for the Court. I have also enclosed a copy of the transcript order letter, a certificate of service, and an extra copy of the motion. I would sincerely appreciate you clocking the copy and returning it to me in the enclosed envelope.

By copy of this letter, I am serving Respondents' counsel with the motion.

If you have any questions or need additional information, please contact me at your convenience.

Sincerely,



Joshua Snow Kendrick

cc: John Read, Esquire

**KENDRICK &  
LEONARD, P.C.**  
ATTORNEYS AT LAW

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JOSH@KENDRICKLEONARD.COM

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September 9, 2015

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SC Court of Appeals

Teresa Johnson  
Circuit Court Reporter  
P.O. Box 2812  
Greenville, SC 29602

Re: *Check First of Greenville, LLC, d/b/a Evo Merchant Coop. v. Merchant Services  
of the Upstate, Inc. and Alfred J. Pearce IV*

2012-CP-23-3532

Dear Ms. Johnson:

I hope you are well. I am writing to request the transcript of the above proceedings. The court calendar reflects you were the court reporter for this hearing. The hearing information is below:

Date of Hearing: March 2 – March 5, 2015  
Presiding Judge: The Honorable Letitia Verdin

I would sincerely appreciate you forwarding this transcript to me when it is completed. Please accept this letter as a written guarantee I will pay for the transcript. If you require a deposit before you begin the transcript, please let me know and I will forward it immediately.

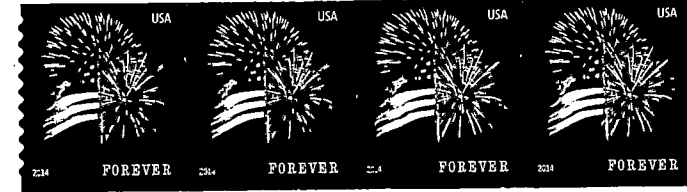
If you need any additional information, please contact me at your convenience.

Sincerely,

  
Joshua Snow Kendrick

cc: V. Claire Allen, Deputy Clerk  
John Read, IV, Esquire  
South Carolina Court Administration

JOSHUA SNOW KENDRICK  
KENDRICK & LEONARD, P.C.  
ATTORNEYS AT LAW  
P.O. Box 6938  
GREENVILLE, SC 29606



SOUTH CAROLINA COURT OF APPEALS  
V. CLAIRE ALLEN, DEPUTY CLERK  
PO BOX 11629  
COLUMBIA, SC 29211

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