

**FINGER, MELNICK & BROOKS, P.A.**  
ATTORNEYS AT LAW

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October 23, 2015

*VIA E-MAIL AND U.S. MAIL*

The Honorable Jenny Abbot Kitchings  
Clerk of Court  
c/o Ms. Diane Greene  
South Carolina Court of Appeals  
P. O. Box 11629  
Columbia, SC 29211

**Re: Quartermaster at Broad Creek Landing Owner's Association, Inc.  
vs. Broad Creek Landing Horizontal Property Regime  
Civil Action No.: 2011-CP-07-02497  
Appellate Case No. 2015-001568  
Our File No.: 3986.001**

Dear Clerk Kitchings:

This letter is in follow up to my September 25, 2015 letter to you relative to the above captioned Appeal, a copy of which is enclosed for your easy review. To date, we have had no response from your office on how to proceed with this Appeal absent a full transcript of the proceedings. Given the weather and flooding issues, this is certainly understandable. Our Initial Brief and Designation of Matter would have been required to be filed by October 21, 2015, but we are unable to proceed without the Court's guidance concerning the transcript.

Yesterday, my assistant, Cathy, had a conversation with Ms. Greene. In trying to explain we were waiting for the Court's guidance, Ms. Greene informed Cathy that we were not in compliance with Rule 207(c) in that Court Administration was not informed that a copy of the transcript had not been received. We do not believe we had intentionally failed to comply with Rule 207(c). We checked the status near the end of the 60 day period. We then promptly notified the Court of the partial transcript issue and sought guidance from the Court.

**RECEIVED**

OCT 26 2015

SC Court of Appeals

The Honorable Jenny Abbot Kitchings  
c/o Ms. Diane Greene  
October 23, 2015  
Page 2

I look forward to hearing from the Court as to how now to proceed as a copy of the partial transcript has been requested. Enclosed is a copy of the request to the Court Reporter.

Very truly yours,

FINGER, MELNICK & BROOKS, P.A.



Terry A. Finger

TAF/cc

Enclosures

cc: Ms. Rosalyn Frierson – SC Court Administration (via U.S. Mail)  
John S. Wilkerson, III, Esquire (via e-mail only)  
Mr. Charles Vienne (via e-mail only)

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September 25, 2015

The Honorable Jenny Abbot Kitchings  
Clerk of Court  
South Carolina Court of Appeals  
P. O. Box 11629  
Columbia, SC 29211

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Appellate Case No. 2015-001568  
Our File No.: 3986.001**

Dear Clerk Kitchings:

This letter is in follow up to a conversation I had with Diane Greene, the clerk assigned on the above captioned Appeal. Our firm represents the Appellant. We have previously timely requested a transcript from the Court Reporter. The Court Reporter, Deborah S. Thomas, informs us that she is unable to transcribe the full proceedings. Apparently, the only portion of the transcript that she can prepare is one partial witness and the closing arguments in this Bench Trial.

I am writing the Court to request guidance on how I should proceed in the absence of a proper complete transcript. Please advise accordingly.

By copy of this letter to John Wilkerson, attorney for the Respondent, I am notifying him of this transcript issue.

Very truly yours,

FINGER, MELNICK & BROOKS, P.A.

  
Terry A. Finger

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cc: John S. Wilkerson, III, Esquire (via e-mail only)  
Mr. Charles Vienne (via e-mail only)

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October 23, 2015

**VIA E-MAIL AND HAND DELIVERY**

Ms. Deborah Thomas  
Beaufort County Courthouse  
102 Ribaut Road, 2<sup>nd</sup> Floor, Room 212  
Beaufort, SC 29902

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OCT 26 2015  
SC Court of Appeals

**Re: Quartermaster at Broad Creek Landing Owner's Association, Inc.  
vs. Broad Creek Landing Horizontal Property Regime  
Civil Action No.: 2011-CP-07-02497  
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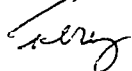
Dear Ms. Thomas:

This letter is in follow up to my letter dated July 22, 2015 to you in the above captioned matter requesting a copy of the transcript of the trial before Judge Dukes on October 1, 2013. You have informed my office that unfortunately you did not have the ability to produce a complete transcript of the proceedings. You indicated that the full recordings were not retrievable, even with expert computer assistance.

I am requesting that you provide a copy of the partial transcript available from the October 1, 2013 trial as soon as possible.

Very truly yours,

FINGER, MELNICK & BROOKS, P.A.



Terry A. Finger

TAF/cc

cc: John S. Wilkerson, III, Esquire (via e-mail only)  
The Honorable Jenny Abbott Kitchings c/o Ms. Diane Greene (via e-mail and U.S. Mail)  
Ms. Rosalyn Frierson - SC Court Administration (via U.S. Mail)  
Mr. Charles Vienne (via e-mail only)

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