

78241

THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

**RECEIVED**

APPEAL FROM RICHLAND COUNTY  
Court of Common Pleas

DEC 22 2015

SC Court of Appeals

Tanya A. Gee, Circuit Court Judge

Case No. 2015-CP-4000169

Gertrude Shiver,.....Employee, Appellant,

v.

Palmetto Health Richland, Employer,  
Palmetto Health Trust Services,  
Carrier,.....Respondents,

MOTION TO ACCEPT THE LETTER FOR THE TRANSCRIPT OUT OF TIME

I am submitting a request to the Appellate Court for it to please accept the letter for requesting the transcript out of time.

I started the process of obtaining the transcript before I filed my Notice of Appeal. I had been communicating with Ms. Crystal Holmes, the Court Reporter via e-mail. I had been reading the rules of the Appellate Court, but I inadvertently forgot to bring a copy of the letter to the Appeals Court. After composing the letter and putting it in the mail, someone from the Post Office interfered with the zip code by scratching it out and putting another zip code on the letter and it went to Charleston, S. C.

The letter came back to me around December 12, 2015. On Monday, December 14, 2015, I came to the Court House and communicated with a member in the Court Administration about the delivery of the letter. I still did not remember to give the

Appeals Court a copy of the letter. I had to go to the Post Office on Assembly Street to find out what was going on with the delivery process. Ms. Holmes subsequently got the letter around the next day.

During the time of composing the letter and mailing it and at the present time, I am still going through the grieving process which is taking me quite a while to get through. On October 22, 2015, I lost my closest brother who was someone that I could depend on. On October 24, 2015, I lost my last aunt which was my mother's last sister and she was very dear to me. On November 17, 2015, I lost one of my cousins.

In addition to going through the grieving process, I am being harassed by another law firm who is bringing a case against me. Also, I am having to deal with another separate case while trying to work. All of this stimuli is causing me to forget morer and to have periods of depression. At the present time, I am reading the Rules of the Appellate Court over and over and reading the diagrams and examples, but I still find myself forgetting which is not intentional.

Therefore, I am asking the Court to please excuse my mental condition at this time and to accept the letter for the transcript out of time.

Respectfully submitted,

December 22, 2015



Gertrude Shiver, Pro se'  
1026 Congaree Church Rd.  
Gadsden, S. C. 29052  
(803) 353-3892

November 25, 2015

**RECEIVED**  
DEC 22 2015  
SC Court of Appeals

Ms. Crystal Holmes, CR  
P. O. Box 611  
Columbia, S.C. 29170

RE: Shiver v. Palmetto Health Richland Hospital Case No. 2015CP4000169 Hearing Transcript

Dear Ms. Holmes:

Per several e-mails, I have requested that you send me the transcript of the hearing held on November 6, 2015, before Judge Tanya A. Gee.

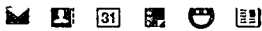
Enclosed is a money order in the amount of \$48.75, the stated amount of the charges for all pages per e-mail.

Yours truly,



Gertrude Shiver  
1026 Congaree Church Rd.  
Gadsden, S.C. 29052  
(803) 353-3892  
(803) 260-5115  
g.shiver@att.net

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Recent



RECEIVED

letter for transcript (2)

DEC 22 2015

Gertrude Shiver <g.shiver@att.net>  
To: cholmes@sccourts.org

Dec 14 at 4:59 PM

SC Court of Appeals

Dear Ms. Holmes:

I took the mail down to the Post Office on Assembly Street to remail it to you. One of the postal clerks said that she would put it in your post office box.

Yours truly,

Gertrude Shiver  
1026 Congaree Church Rd.  
Gadsden, S.C. 29052

Reply Reply to All Forward More

Gertrude Shiver <g.shiver@att.net>  
To: Holmes, Crystal

Dec 15 at 6:31 PM

Thank you.

Sincerely,

Gertrude Shiver

Hide original message

On Tuesday, December 15, 2015 2:48 PM, "Holmes, Crystal" <CHolmes@sccourts.org> wrote:

Mr. Shiver,

I did get it this morning. I am not sure why there were scratches on some of the printed information on the envelope, perhaps, it was mixed up at the post office. I will get the transcript to as soon as it is complete.

Thank you,

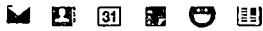
Crystal Holmes

Circuit Court Reporter

5th Circuit

From: Gertrude Shiver <g.shiver@att.net>  
Sent: Monday, December 14, 2015 4:59 PM  
To: Holmes, Crystal  
Subject: letter for transcript

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Folders (3)

Draft-000 (3)

Recent

Letter

Gertrude Shiver <g.shiver@att.net> Dec 13 at 3:06 PM  
To cholmes@sccourts.org

Dear ms.Holmes:

The letter where I sent you the money order came back to me on Saturday, 12/12/2015. Someone scratched out the zip code and the letter went to Charleston, S. C. I don't know who did this. I used the address that you send me.

Is there anywhere in Columbia where I can hand deliver the letter? I need the transcript right away so that I can start on my Brief for the Appellate Court. I have to use the USC Law Library before they go on the holiday break.

They are cutting their hours this week.

Sincerely,

Gertrude Shiver  
1026 Congaree Church Rd.  
Gadsden, S. C. 29052

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Re: Transcript of hearing on November 6, 2015, Friday with Judge Gee Thursday, November 19, 2015 5:53 PM

From: "Gertrude Shiver" <g.shiver@att.net>  
To: "Holmes, Crystal" <CHolmes@sccourts.org>

Full Headers Printable View

Dear Ms. Holmes:

I work during the day and it will not be until around Tuesday of next week before I can get a money Order from my Credit Union to send to you. I just got your message tonight. You did not send me your address where I can send the money order to.

Please send me the address to where to send the money order to. I prefer that you send the transcript via mail. Thank you.

Yours truly,

Gertrude Shiver

On Thursday, November 19, 2015 8:51 PM, Gertrude Shiver <g.shiver@att.net> wrote:

Dear Ms. Holmes:

I work during the day and it will not be until around Tuesday of next week before I can get a money Order from my Credit Union to send to you. I just got your message tonight. You did not send me your address where I can send the money order to.

Please send me the address to where to send the money order to. I prefer that you send the transcript via mail. Thank you.

Yours truly,

Gertrude Shiver

On Monday, November 16, 2015 7:53 PM, "Holmes, Crystal" <CHolmes@sccourts.org> wrote:

Mr. Shiver,

I have received your request for a transcript in the above-referenced matter. The cost of a transcript is \$3.25 per page plus shipping and handling, or I can send the transcript to you via e-mail and waive the fee. After reviewing my notes in this case, I would estimate this transcript to be approximately 15 pages in length total. I will need a check in the amount of \$48.75 via certified check or postal money order. If the transcript is shorter in length than I estimated I will refund you the difference. If it is longer, I will bill you for the difference.

I will begin to work on this transcript for you upon receipt of the deposit. Please understand that your request is one of many that I am working

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If you have any further questions, please contact me at the above address. Thank you.

Sincerely,

Crystal Holmes  
Circuit Court Reporter  
5th Circuit

---

From: Gertrude Shiver <[g.shiver@att.net](mailto:g.shiver@att.net)>  
Sent: Tuesday, November 10, 2015 12:22 AM  
To: Holmes, Crystal  
Subject: Transcript of hearing on November 6, 2015, Friday with Judge Gee

Dear Ms. Holmes:

I need a copy of the transcript immediately of the hearing of Shiver v. Palmetto Health Case No. 2015-CP-40-001109, that was held before Judge Gee on November 6, 2015. Please send me the cost and what instrument to send in order to pay for the transcript. Thank you.

Sincerely,

Gertrude Shiver  
1026 Congaree Church Rd.  
Gadsden, S. C. 29052  
(803) 353-3892  
(803) 260-5115 (cell)  
[g.shiver@att.net](mailto:g.shiver@att.net)

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**Re: Transcript**

Thursday, December 10, 2015 8:58 AM

From: "Gertrude Shiver" <g.shiver@att.net>  
To: "Holmes Crystal" <CHolmes@sccourts.org>

Dear Ms. Holmes:

If you don't find it, please let me know. Resend your address and the amount, and I will go and get another money order from Palmetto Citizens. I have to work Friday and Monday, and I probably will not get to the credit union until Tuesday, if I don't get a message from you before 1:30 p.m. today.

On Thursday, December 10, 2015 11:34 AM, "Holmes, Crystal" <CHolmes@sccourts.org> wrote:

Mr. Shiver,

I have not received it. I will check all of my recent letters again. I did go to my PO Box this morning and it was not there.

Crystal Holmes  
Circuit Court Reporter  
5th Circuit

---

From: Gertrude Shiver <g.shiver@att.net>  
Sent: Wednesday, December 9, 2015 8:06 PM  
To: Holmes, Crystal  
Subject: Re: Transcript

Dear Ms. Holmes:

I sent a money order from Palmetto Citizens Federal Credit Union on November 25, 2015.

Sincerely,

Gertrude Shiver  
1026 Congaree Church Rd.  
Gadsden, S.C. 29052  
(803) 353-3892

On Tuesday, December 8, 2015 9:45 PM, "Holmes, Crystal" <CHolmes@sccourts.org> wrote:

I have not gotten a check. I will be sure to go check my PO Box again tomorrow, and I will let you know if it is there or not.

Thanks,  
Crystal Holmes  
Circuit Court Reporter

5th Circuit

---

From: Gertrude Shiver <[g.shiver@att.net](mailto:g.shiver@att.net)<<mailto:g.shiver@att.net>>>

Sent: Tuesday, December 8, 2015 8:46 PM  
To: Holmes, Crystal  
Subject: Transcript

Dear Ms. Holmes:

I have not received my transcript. I sent you a money order around November 25, 2015 to pay for the transcript.

Yours truly,

Gertrude Shiver  
1026 Congaree Church Rd.  
Gadsden, S. C. 29052  
(803) 353-3892  
(803) 260-5115

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Drafts (185)

Re: Transcript of hearing on November 6, 2015, Friday with Judge Gee Thursday, November 19, 2015 5:51 PM

Sent

Spam (422)

[Empty]

From: "Gertrude Shiver" <g.shiver@att.net>

Trash (116)

[Empty]

To: "Holmes, Crystal" <CHolmes@sccourts.org>

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Dear Ms. Holmes:

Draft-000 (3)

I work during the day and it will not be until around Tuesday of next week before I can get a money Order from my Credit Union to send to you. I just got your message tonight. You did not send me your address where I can send the money order to.

Please send me the address to where to send the money order to. I prefer that you send the transcript via mail. Thank you.

Yours truly,

Gertrude Shiver

On Monday, November 16, 2015 7:53 PM, "Holmes, Crystal" <CHolmes@sccourts.org> wrote:

Mr. Shiver,

I have received your request for a transcript in the above-referenced matter. The cost of a transcript is \$3.25 per page plus shipping and handling, or I can send the transcript to you via e-mail and waive the fee. After reviewing my notes in this case, I would estimate this transcript to be approximately 15 pages in length total. I will need a check in the amount of \$48.75 via certified check or postal money order. If the transcript is shorter in length than I estimated I will refund you the difference. If it is longer, I will bill you for the difference.

I will begin to work on this transcript for you upon receipt of the deposit. Please understand that your request is one of many that I am working on.

If you have any further questions, please contact me at the above address. Thank you.

Sincerely,

Crystal Holmes

Circuit Court Reporter

5th Circuit

From: Gertrude Shiver <g.shiver@att.net>  
Sent: Tuesday, November 10, 2015 12:22 AM  
To: Holmes, Crystal  
Subject: Transcript of hearing on November 6, 2015, Friday with Judge Gee

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Gertrude Shiver  
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Gadsden, S. C. 29052  
(803) 353-3892  
(803) 260-5115 (cell)  
[g\\_shiver@att.net](mailto:g_shiver@att.net)

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**Automatic reply: Transcript of hearing on November 6, 2015, Friday with Judge Gee**

Thursday, November 19, 2015 5:52 PM

**From:** "Holmes Crystal" <CHolmes@sccourts.org>

**To:** "Gertrude Shiver" <g.shiver@att.net>

If you are requesting a transcript please send you request to PO Box 611 Columbia, SC 29170.

Thank you,

Crystal Holmes,

Official Court Reporter

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Drafts (185) RE: Transcript of hearing on Novemb Friday, November 20, 2015 12:13 PM

Sent er 6, 2015, Friday with Judge Gee

Spam (423) [Empty] From: "Holmes, Crystal" <CHolmes@sccourts.org>

Trash (116) [Empty] To: "Gertrude Shiver" <g.shiver@att.net>

My Folders [Edit] Sorry about that. My address is PO Box 611 Columbia, SC 29170.

Draft-000 (3) Crystal Holmes

Sponsored Circuit Court Reporter

5th Circuit

From: Gertrude Shiver <g.shiver@att.net>

Sent: Thursday, November 19, 2015 8:53 PM

To: Holmes, Crystal

Subject: Re: Transcript of hearing on November 6, 2015, Friday with Judge Gee

Dear Ms. Holmes:

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I will begin to work on this transcript for you upon receipt of the deposit. Please understand that your request is one of many that I am working on.

If you have any further questions, please contact me at the above address. Thank you.

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Selling Out Fast!

Sincerely,

Crystal Holmes

Circuit Court Reporter

5th Circuit

---

From: Gertrude Shiver <[g.shiver@att.net](mailto:g.shiver@att.net)<mailto:g.shiver@att.net>>  
Sent: Tuesday, November 10, 2015 12:22 AM  
To: Holmes, Crystal  
Subject: Transcript of hearing on November 6, 2015, Friday with Judge Gee

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Sincerely,

Gertrude Shiver  
1026 Congaree Church Rd.  
Gadsden, S. C. 29052  
(803) 353-3892  
(803) 260-5115 (cell)  
[g.shiver@att.net](mailto:g.shiver@att.net)<mailto:g.shiver@att.net>

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DEC 22 2015

SC Court of Appeals

December 22, 2015

Jenny Abbott Kitchings, Clerk  
Court of Appeals  
1220 Senate Street  
Columbia, South Carolina 29201

RE: Gertrude Shiver v. Palmetto Health Richland (2) Appellate Case No. 2015-002486

Dear Honorable Kitchings:

Enclosed is a copy of the letter where I had ordered the transcript from Ms. Crystal Holmes for your filing and some e-mail correspondence. Also included is the Motion for accepting the copy of the letter out of time for filing and a check for \$25.00 for the Motion filing fee.

Yours truly,



Gertrude Shiver, Pro se'  
1026 Congaree Church Rd.  
Gadsden, S. C. 29052  
(803) 353-3892

cc. F. Earl Ellis, Jr., Esquire