

THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

APPEAL FROM ANDERSON COUNTY
Court of Common Pleas

R. Scott Sprouse, Circuit Judge

RECEIVED

Case No. 2014-DR-CP-04-1815

MAR 21 2016

Appellate Case No. 2016-000235

SC Court of Appeals

Michael David Hollingsworth and Trilby Hollingsworth, Respondents,

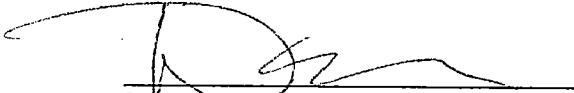
v.

Rhonda Phillips and Brian Phillips, Defendants
of whom Rhonda Phillips is Appellant.

AFFIDAVIT IF SUPPORT OF MOTION TO REQUEST TRANSCRIPT OUT OF TIME

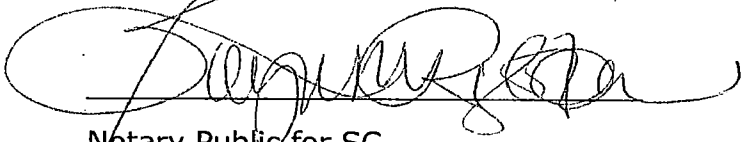
The Notice of Appeal in the above Captioned Matter was filed February 8, 2016. On February 6, 2016 the undersigned began preparing documents to request the transcript. The Court's Form 4C for this case indicated that the Court Reporter was Dianne Thommes. (Attachment A). The undersigned could not find a Court Reporter by this name on the Judicial Department website. The undersigned conducted a google search for Court Reporters named Dianne Thommes (in the event a private court reporter had been used or the Reporter had retired after this case was heard). I did find one who works for the courts in North Carolina and wondered if the court reporter in this case had left South Carolina for a job in North Carolina. On February 8, 2016, the undersigned sent an email to the Anderson County Circuit Court Coordinator asking for clarification of the name and contact information for the court reporter assigned to this case. (Attachment B). No response was received. While awaiting a response, my attention was diverted to other matters and I did not realize that I had failed to order the transcript in time until I received

this courts letter dated February 26, 2016. I misread that letter to indicate that I had ten(10) days to request the transcript. I did not notice that the letter instructed that I had ten days to file a Motion requesting permission to order the transcript out of time.


David F. Stoddard

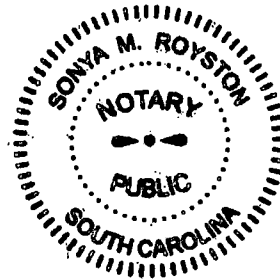
Sworn and subscribed before me this

18 day of March, 16



Notary Public for SC

my commission expires 2/26/2018



For Clerk of Court Office Use Only

This judgment was entered on 9-10-15, and a copy mailed first class or placed in the appropriate attorney's box on 9-10-15, to attorneys of record or to parties (when appearing pro se) as follows:

Michael David Hollingsworth 18 Kimberly Drive Travelers Rest, SC 29690

ATTORNEY(S) FOR THE PLAINTIFF(S)

Rhonda Phillips 200 Daniel Dr Anderson, SC 29626
Brian Phillips 200 Daniel Dr Anderson, SC 29626

ATTORNEY(S) FOR THE DEFENDANT(S)

Richard A. Shirley

Richard A. Shirley - Clerk of Court

Court Reporter: Dianne Thommes

ADDITIONAL INFORMATION REGARDING DECISION BY THE COURT AS REFERENCED ON PAGE 1.

This action came to trial or hearing before the court. The issues have been tried or heard and a decision rendered.

FILED-CLERK'S OFFICE
ANDERSON SC
2015 SEP 13 PM 2:30
COMMON PLEAS AND
GENERAL SESSIONS

David F. Stoddard

From: David F. Stoddard <david@dfslawoffice.com>
Sent: Monday, February 08, 2016 4:21 PM
To: 'jpruitt@andersoncounty.org'
Subject: Michael D. Hollingsworth, et. al. v. Rhonda Phillips, et. al. 2014-CP-04-1815

Jennifer:

I am trying to order a transcript of the trial held in the above referenced case. Judgement was signed September 9, 2015, which I assume was the date it was tried. The form 4 lists the court reporter as Diane Thommes. However, I cannot find her on the Judicial Department website. The Judicial Department has Diane Marcengill listed as Judge Sprouse's court reporter that week. Do you have information of who the reporter was, and if it is Ms. Thommes, do you have her contact information?

David F. Stoddard
320 E River Street
Anderson SC 29624
Phone 864-375-0000
Facsimile 864-375-0052

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SC Court of Appeals

Michael David Hollingsworth and Trilby Hollingsworth, Respondents,

v.

Rhonda Phillips. Appellant.

PROOF OF SERVICE

I certify that on March 18, 2016 I served the Motion to Request Transcript on Michael David Hollingsworth and Trilby Hollingsworth by depositing a copies of it in the United States Mail, postage prepaid, on February 5, 2015 addressed to Michael David Hollingsworth, 18 Kimberly Drive Travelers Rest, SC 29626, and to Trilby Hollingsworth, 18 Kimberly Drive Travelers Rest, SC 29626.



David F. Stoddard



David F. Stoddard

Attorney-At-Law
320 East River Street
Anderson, South Carolina 29624
Email: david@dfsloffice.com

Telephone (864) 375-0000

Facsimile (864) 375-0052

February 6, 2016

The Honorable Jenny A. Kitchings
Clerk, South Carolina Court of Appeals
PO Box 11629
Columbia SC 29211

RECEIVED

MAR 21 2016

SC Court of Appeals

Re: *Michael David Hollingsworth and Tilby Hollingsworth,*
Respondents vs Rhonda Phillips, Appellant
Case No.: 2014-CP-04-1815

Dear Ms. Kitchings:

Enclosed for filing is a Motion to Request Transcript Out of Time:

1. Six Copies of the Motion.
2. Proof of Service of the Notice on the Respondents.
3. A filing Fee of \$25.00

Sincerely,

David F. Stoddard

DFS/
cc: Michael and Trilby Hollingsworth



David F. Stoddard

Attorney
320 East River Street
Anderson, SC 29624

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MAR 21 2016

SC Court of Appeals

The Honorable Jenny A. Kitchings
Clerk, South Carolina Court of Appeals
PO Box 11629
Columbia SC 29211

