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SC Court of Appeals

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April 18, 2016

The Honorable Jenny Abbott Kitchings
SC Court of Appeals Clerk
PO Box 11629
Columbia, SC 29211

Re: *Chris N. Domnick v. Frank L. Domnick Jr. and Shelly Domnick*
Appellant C.A. No: 2015-002558

Dear Ms. Kitchings:

This appeal was filed on December 3, 2015. Appellant served the Notice of Appeal on Respondent on December 7, 2015. Appellant has not served Respondent with any further correspondence or documents.

On April 14, 2016, the Court sent Appellant a letter explaining that the time for order the transcript of record had expired, and informing that he had 10 days to file proof of request of the transcript from the court reporter and to file a motion requesting permission to order the transcript outside of the filing deadlines. The letter stated that if Appellant did not comply with the 10 day deadline, the appeal would be dismissed.

Appellant did not file anything or otherwise respond.

On December 31, 2015, Respondent filed a Motion to Dismiss based on Appellant's failure to request the transcript or otherwise perfect the appeal.

On April 13, 2016, the Court of Appeals' website reflected an order of the Court dated April 15, 2016 denying Respondent's Motion to Dismiss and stating as follows: "Our records indicate the transcript has been delivered to Appellants. Accordingly, Respondent's motion to dismiss this appeal is denied. Appellants shall serve and file their initial brief and designation of matter within thirty days of his order." Respondent received a paper copy of the order in the mail on April 15, 2016.

There are still no other documents on file with the Court of Appeals from Appellant, save the Notice of Appeal.

On April 15, 2016, the Court of Appeals' website reflected correspondence dated April 14, 2016 from the Court of Appeals to Appellant, stating (again) that the court's

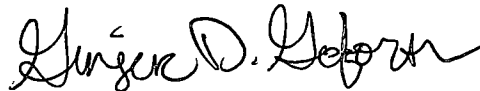
April 18, 2016

records reflected that the time for ordering the transcript had expired, and giving Appellant ten days from the date of the letter to file a motion to order the transcript outside of time and file proof that the transcript had been ordered.

In the meantime, Respondent has not received any correspondence or documents from Appellant.

Because the information in the recent letter and order to Appellant are in direct conflict, Respondent respectfully requests that the Court clarify the status of this appeal. It would seem most fair that if Appellant has not ordered the transcript or filed any document with the Court of Appeals since the Notice of Appeal was filed, Respondent's Motion to Dismiss should be granted. Thank you in advance for your assistance.

Sincerely,



Ginger D. Goforth
ginger@lazenbylawfirm.com

GDG: je

cc: Frank L. Domnick Jr. and Shelly Domnick (via US Mail)
Chris Domnick (via email only)

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