

ABBOTT MARINE CONSTRUCTION, LLC

<http://www.abbott-marine.com/>

**P.O. Box 7
241 Paul Drive
Trenton, North Carolina
28585**

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RECEIVED

APR 25 2016

April 21, 2016

SC Court of Appeals

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

**Re: James R. Abbott v Michele Blank
Appellate Case No. 2016-000712**

Dear Ms. Kitchings:

In response to your letter of April 18, 2016 concerning the transcript, I have the following to submit.

- 1. Remittitur dated April 08, 2015**
- 2. Notice of Motion April 14, 2015**
- 3. Request for transcript dated July 14, 2015**
- 4. Transcript of Record Page 1, 18, 19 dated August 28, 2015**
- 5. Rescheduled court date dated October 15, 2015**
- 6. Notice of Entry of Judgment entered 04th day of February, 2016**
- 7. Correspondence to you dated March 9, 2016**
- 8. Notice of Appeal dated March 29, 2016**
- 9. Copy of South Carolina Judicial Department Rule 208-Initial Briefs**

I requested a recorded transcript of the proceedings of November 17, 2015 with a personal handwritten note at Magistrate Henry Guerard's office November 18, 2015 as instructed by his office and never received that material. That generated the letter to you of March 9, 2016 (7). There was no active appeal with this case at that time.

Rule 208 states-

(a) Time for Serving and Filing Initial Briefs.

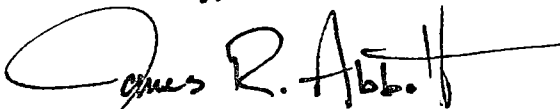
(1) Brief of Appellant. *Within thirty (30) days after receiving the transcript or, if no transcript is ordered, within thirty (30) days after serving the notice of appeal, appellant shall serve one*

copy of his brief on all parties to the appeal, and file with the clerk of the appellate court one copy of the brief with proof of service.

I request that the court continue this appeal and accept the Initial Brief within 30 days after serving the Notice of Appeal (8).

With kind regards, I am

Yours truly,

A handwritten signature in black ink that reads "James R. Abbott". The signature is written in a cursive style with a large, looping initial "J" and a long horizontal stroke at the end.

James R. Abbott
Appellant *pro se*

Cc: Frampton Durban, Jr., Esquire



The South Carolina Court of Appeals

JENNY ABBOTT KITCHINGS
CLERK

V. CLAIRE ALLEN
DEPUTY CLERK

POST OFFICE BOX 11629
COLUMBIA, SOUTH CAROLINA 29211
1220 SENATE STREET
COLUMBIA, SOUTH CAROLINA 29201
TELEPHONE: (803) 734-1890
FAX: (803) 734-1839
www.sccourts.org

April 08, 2015

The Honorable Julie-J. Armstrong
100 Broad St Ste 106
Charleston SC 29401-2210

REMITTITUR

Re: James R. Abbott v. Michelle Blank
Lower Court Case No. 2014CP1001829
Appellate Case No. 2014-002751

Dear Clerk of Court:

The above referenced matter is hereby remitted to the lower court or tribunal. A copy of the judgment of this Court is enclosed.

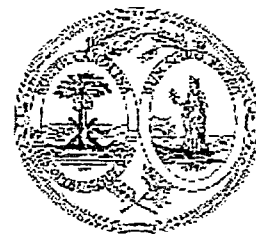
Very truly yours,

A handwritten signature in cursive script that reads "Jenny A. Kitchings".

CLERK

Enclosure

cc: James R. Abbott
Frampton Durban, Jr., Esquire



James R Abbott
Po Box 7

Trenton, NC 28585

NOTICE OF MOTION SCHEDULING

April 14, 2015

Motion "MOFREE - Motion/Motion For (APPEAL)" for Case: 2014CP1001829 - James R Abbott VS Michele Blank has been added to the following Motions Roster:

153 - MOTIONS ROSTER - WEEK OF MAY 4, 2015 JUDGE NICHOLSON

This hearing of this motion has been scheduled for 5/5/2015 at 2:30 PM.

MOTIONS ARE SCHEDULED IN COURTROOM 3E WITH JUDGE NICHOLSON PRESIDING.

ALL REQUESTS FOR CONTINUANCES MUST BE FILED WITH JUDGE NICHOLSON'S OFFICE. CHARLIE PATRICK, JUDGE NICHOLSON'S LAW CLERK, CAN BE REACHED AT jnicholsonlc@sccourts.org

IF YOU HAVE QUESTIONS PLEASE CONTACT CAROLINE LEONARD AT:
cleonard@charlestoncounty.org.

Mail Notice To:
James R Abbott Po Box 7 Trenton, NC 28585

Court Info:
Common Pleas Charleston County Judicial Center 100 Broad Street - Suite 106 Charleston, SC 29401-9401

If you have any questions regarding the scheduling of this motion, please contact the courts at:

(843)958-5000

Respectfully,

Julie Armstrong
Clerk of Court

ABBOTT MARINE CONSTRUCTION, LLC

<http://www.abbott-marine.com/>

P.O. BOX 7

241 Paul Drive

Trenton, North Carolina

29458

843-729-7729

abbottconstruction@tds.net

July 14, 2015

Amanda K. Haffenden
Post Office Box 424
Summerville, SC 29484

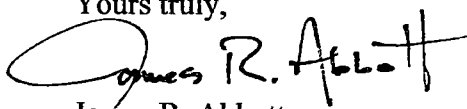
Dear Ms. Haffenden,

I request a transcript of the Motion 2014CP1001829 held May 7, 2015 at 9:30 am heard by The Honorable J.C. Nicholson, Jr. Circuit Court Judge. Please mail to the post office address in the letterhead.

This is my second request for this transcript. The first was mailed June 25, 2015. This case has been accepted by the SC Supreme Court and has been placed on hold until the transcript is obtained of this motion so that it can be included in the state court appeal. The decision of the judge and magistrate are irrelevant, it is the transcript that is important. Please acknowledge that you received this request.

With kind regards I am

Yours truly,



James R. Abbott
Appellant

STATE OF SOUTH CAROLINA COURT OF COMMON PLEAS
COUNTY OF CHARLESTON 2014-CP-10-01

RECEIVED
APR 25 2016
SC Court of Appeals

JAMES R. ABBOTT,)
)
 Plaintiff,) TRANSCRIPT OF RECORD
)
 -vs-) May 7, 2015
)
 MICHELE BLANK,) Charleston, South Carolina
)
 Defendant.)

B E F O R E:

The Honorable J.C. Nicholson, Jr., Judge.

A P P E A R A N C E S:

James R. Abbott, Plaintiff
Pro Se

Frampton Durban, Jr., Esquire
Attorney for the Defendant

Amanda K. Haffenden, RPR, CRR
Circuit Court Reporter

1 I'll issue an order to that effect. Thank y'all very
2 much.

3 MR. DURBAN: Thank you, Your Honor.

4 THE COURT: Well, let me think about this for
5 a minute. Have a seat. Let me think about it for a
6 minute.

7 I think what I'm going to do, in light of
8 what I've heard this morning, I'm going to remand this to
9 Magistrate Guerard and ask him to clarify his return as
10 to whether the \$5,000 damages was for back payment or
11 whether it was for \$5,000 contributed to the boat and
12 make that return to the Circuit Court judge, to me, and
13 at that time I'll make a decision on the appeal.

14 I'll uphold an appeal and reverse an appeal
15 and I'll take it under advisement until I receive that
16 information from Judge Guerard.

17 THE PLAINTIFF: Thank you, sir.

18 THE COURT: Thank you all very much.

19 THE PLAINTIFF: Thank you very much.

20

- - -

21 (Whereupon, the proceedings were concluded.)

22

- - -

23

24

25

I, the undersigned Amanda K. Haffenden, RPR, CRR, Official Court Reporter for the Ninth Judicial Circuit of the State of South Carolina, do hereby certify that the foregoing is a true, accurate, and complete transcript of record of all the proceedings had and evidence introduced in the trial of the captioned case, relative to appeal, in the Circuit Court for Charleston County, South Carolina, on the 7th of May 2015.

I do further certify that I am neither of kin, counsel, nor interest to any party hereto.

August 28, 2015

Amanda K. Haffenden

Circuit Court Reporter

**STATE OF SOUTH CAROLINA
COUNTY OF CHARLESTON**

Michele Blank
1600 Macoma Dr
Mount Pleasant, SC 29466

James Abbott
PO Box 7
Trenton, NC 28585

RE: Michele Blank Vs James R Abbott dba Abbott Construction
PLAINTIFF(S) DEFENDANT(S)

CASE #: 2013CV1010600794

Please be advised that the above referenced case has been rescheduled. The new court date is **TUESDAY, NOVEMBER 17, 2015 @ 11:00 AM.**

Witnesses subpoenaed prior to the rescheduling will be reminded that they are under continuing subpoena.


If you settle this case, please notify this Court in writing on this form and return it to the address listed at the bottom of this form.

THIS CASE HAS NOW BEEN SETTLED. PLEASE STOP ALL ACTION.

Signature

Print Name

Telephone Number



Latasha Davis
Summary Court Specialist

**Small Claims - City
995 Morrison Drive P. O. Box 941
Charleston, SC 29403
Phone: (843) 724-6720 Fax: (843) 724-6785**

October 15, 2015

JULIE J. ARMSTRONG
CLERK OF COURT, C.P. & G.S.
100 BROAD STREET, SUITE 106
CHARLESTON, SC 29401-2258
RETURN SERVICE REQUESTED



clerkofcourt.charlestoncounty.org

2



JAMES R ABBOTT
PO BOX 7
TRENTON NC 28585-0007

NOTICE OF ENTRY OF JUDGMENT/ORDER PURSUANT TO RULE 77 SCRPC

Supplemental Magistrate Return

CASE NO: 2014CP1001829

James R Abbott VS Michele Blank

This judgment was entered on the 04th day of February, 2016, and notice mailed first class on Wednesday, February 17, 2016, to all counsel of record and/or all parties entitled to receive notice.

You may view and download this document at <http://clerkofcourt.charlestoncounty.org> or obtain a copy in person at the Clerk of Court's Office during regular Charleston County business hours.

ABBOTT MARINE CONSTRUCTION, LLC

<http://www.abbott-marine.com/>

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28585

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abboumarineconstructionllc@gmail.com

March 9, 2016

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

**Re: James R. Abbott v Michele Blank
Appellate Case No. 2014-002751**

Dear Ms. Kitchings:

This legal action has been ongoing for over 3 years. I strongly suspect corruption and ethics violations in the lower courts over this matter. I have represented myself throughout the process, Blank has used an attorney with whom she had an earlier relationship not involving legal issues. Although the case appears to be trivial on the surface, in truth it began with a criminal act perpetrated on me by Blank. After I swore out a warrant, her attorney negotiated a deal with the sheriff's department to avoid her arrest. I was not represented at that meeting.

The last courtroom appearance, November 17, 2015, was abruptly terminated by the magistrate at my request. He immediately stopped the transcript recorder and asked me to forget some derogatory remarks he made to me just prior to turning it off. We continued in an informal manner. He allowed no further testimony and then immediately ruled against me. I requested a jury trial on the spot, he denied it. The meeting ended with Blank and her attorney absent while the magistrate and I discussed the history of the past courtroom appearances and what transpired.

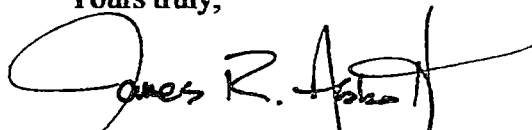
I requested a copy of the transcript the next day in writing at his office, none were provided. I need this in order to continue my appeal at the State level.

On February 3, 2016 a supplemental return was emailed to me from the magistrate once again ruling against me with this statement- "...the entire matter is submitted to the wisdom and discretion of the court of common pleas."

This situation has been a waste of my time and money as well as the taxpayers of South Carolina. I would like to put an end to this as soon as possible and hold all those parties complicit responsible for their actions.

I request to personally meet with you to discuss what action I should take next. I am available any time. This is important.

With kind regards, I am
Yours truly,

A handwritten signature in black ink, appearing to read "James R. Abbott". The signature is stylized with a large initial "J" and a long horizontal stroke extending to the right.

James R. Abbott
Appellant

**FORM 1
NOTICE OF APPEAL IN A CIVIL CASE**

**THE STATE OF SOUTH CAROLINA
In The Court of Appeals
[In The Supreme Court]**

**APPEAL FROM CHARLESTON COUNTY
Court of Common Pleas**

J.C. Nicholson, Jr., Circuit Court Judge

Case No. 2014-CP-10-1829

Michele Blank

Respondent,

v.

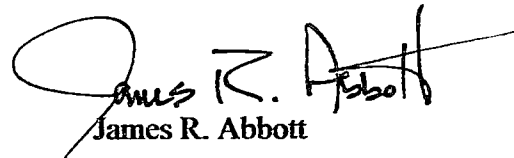
James R. Abbott

Appellant.

NOTICE OF APPEAL

James R. Abbott appeals the order [judgment] of the Honorable J.C. Nicholson, Jr. dated March 3, 2016. Appellant received written notice of entry of this order [judgment] on March 7, 2016.

March 29, 2016


James R. Abbott

241 Paul Drive
Trenton NC 28585

Appellant

Other Counsel of Record:
Frampton W. Durban, Jr.
PO Box 40997
Charleston SC 29423-0997

Title: Appellate Court Rule

Summary: RULE 211 FINAL BRIEFS (a) Time to Serve and File. Within twenty (20) days after the service of the Record on Appeal, each party shall serve a copy of his final brief(s) on every other party to the appeal, and file fifteen (15) copies of the final brief(s) with the clerk of the app
</courtReg/displayRule.cfm?ruleID=211.0&subRuleID=&ruleType=APP>

**RULE 208
INITIAL BRIEFS**

(a) Time for Serving and Filing Initial Briefs.

(1) Brief of Appellant. Within thirty (30) days after receiving the transcript or, if no transcript is ordered, within thirty (30) days after serving the notice of appeal, appellant shall serve one copy of his brief on all parties to the appeal, and file with the clerk of the appellate court one copy of the brief with proof of service.

(2) Brief of Respondent. Within thirty (30) days after service of appellant's brief, respondent shall serve one copy of his brief on all parties to the appeal and file with the clerk of the appellate court one copy of the brief with proof of service.

(3) Reply Brief. An appellant may file and serve a brief in reply to the brief of respondent. If a reply brief is prepared, appellant shall, within ten (10) days after service of respondent's brief, serve one copy of the reply brief on all parties to the appeal and file with the clerk of the appellate court one copy of the reply brief with proof of service.

(4) Failure to File. Upon the failure of the appellant to file and serve his brief within the time prescribed, the clerk of the appellate court shall sign an order dismissing the appeal, and the appeal shall not be reinstated except as provided by Rule 260. Upon the failure of respondent to timely file a brief, the appellate court may take such action as it deems proper.

(b) Content. The initial briefs under this Rule and the final briefs under Rule 211 shall contain:

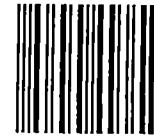
(1) Brief of Appellant. The brief of appellant shall contain under appropriate headings and in the order here indicated:

(A) Table of Contents and Cases. A table of contents, with page references, and a table of cases (alphabetically arranged), statutes, and other authorities cited, with references to the pages of the brief where they are cited.

(B) Statement of Issues on Appeal. A statement of each of the issues presented for review. The statement shall be concise and direct as to each issue, and may be stated in question form. Broad general statements may be disregarded by the appellate court. Ordinarily, no point will be considered which is not set forth in the statement of the issues on appeal.



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HONORABLE JENNY ARBOTT KITCHINGS
CLERK OF COURT OF APPEALS
P.O. Box 11629
COLUMBIA SC

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APR 25 2016

SC Court of Appeals

29211