

John Alden Bauer III
5 Gumtree Rd. E-11
Hilton Head Island, SC 29926

June 21, 2016

Jenny Abbott Kitchings
Clerk of Court
PO Box 11629
Columbia, SC29211

Dear Ms. Kitchings,

Re: John Alden Bauer, III v. Beaufort County School District
Appellate Case No. 2016-000955

Mr. Duff apparently believes that I am in some sort of technical noncompliance with Rule 207. He refers to letters that I have never received, and to imagined referenced rules not cited in any correspondence. The transcripts that he refers to were received long ago, therefore; as stated in Rule 207(a)(2) "Where a transcript of the proceeding must be prepared by the court reporter...". As I understand it, if the transcript had already been prepared no further action was mandated at that point. The transcripts had also been delivered to Appellant, so no problem there with Rule 207, as far as I can see.

I am attaching all relevant correspondence to you, including my requests for transcripts.

I wonder if all others who find themselves unexpectedly indigent, and who seek justice.....

Maybe one day my case will be decided on the merits.

Sincerely,

John Alden Bauer III

copy: V. Claire Allen

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JUN 21 2016

SC Court of Appeals

----- Forwarded message -----

From: **Alden Bauer** <aldenbauer706@gmail.com>

Date: Mon, Jun 20, 2016 at 5:32 PM

Subject: Letter June 9

To: drew.davis@beaufort.k12.sc.us.readnotify.com,
dduff@dwtlawfirm.com.readnotify.com, DLyon@dwtlawfirm.com.readnotify.com

Mr. Duff,

You refer to a letter of June 9. I received no letter from the SC Court of Appeals dated June 9. I did receive letters dated May 9 and June 16 but neither mentions Rule 207. (See attached)

Both letters came from Jenny Abbott Kitchings. I have never received a letter from someone named V. Clair (Claire) Allen.

I ordered the transcripts and they have been delivered to me. My understanding was that they were to be delivered with the transcripts after the briefs were all filed.

I am happy to send you all of the related correspondence. I sent you a copy of the transcripts I ordered and then received on March 18, 2016, earlier this afternoon.

I will be totally compliant with all requirements and will to do so.

Alden

Bauer Alden

Dave Duff <dduff@dwtlawfirm.com>

Transcripts

June 20, 2016 at 8:45 PM

Mr. Duff,

Please see attached letter to the South Carolina Court Appeals attn: Jenny Abbott Kitchings with a copy to V. Claire Allen.

I have also attached all correspondence regarding ordering of the transcripts with the court reporter, Deborah S. Thomas.

I have arranged to have this letter and correspondence hand delivered to the Clerk of Court tomorrow.

I thought I understood Rule 207 and I will attempt to make any remediation if I am wrong.

I wish to be totally compliant with all requirements and wish to do so in affable cooperation with everyone.

Alden

DUFF, WHITE & TURNER, L.L.C.

ATTORNEYS AND COUNSELORS AT LAW

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† CERTIFIED CIVIL ARBITRATOR AND MEDIATOR

sender's email address
dduff@dwtlawfirm.com

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SC Court of Appeals

June 20, 2016

VIA HAND-DELIVERY

V. Claire Allen
Deputy Clerk, South Carolina Court of Appeals
1015 Sumter Street
Columbia, South Carolina 29201

Re: John Alden Bauer, III v. Beaufort County School District
Appellate Case No. 2016-000955

Dear Ms. Allen:

I am writing as counsel to the Respondent, Beaufort County School District, in the above matter. We are very concerned regarding the propriety of the motions recently filed by Appellant, John Alden Bauer, III. We are particularly concerned in light of the fact that Mr. Bauer, who we recognize is proceeding pro se, has yet to indicate that he has ordered the transcript of the proceedings below. The text of Rule 207, SCACR, is clear that Mr. Bauer was required to order the transcript within 10 days after the date of service of the notice of appeal, which in this case was May 2, 2016. You reminded Mr. Bauer of the requirement of Rule 207 in your June 9, 2016 letter. If Mr. Bauer has not provided the required notice by June, 22, 2016, we intend to seek dismissal of his appeal under Rule 260, SCACR.

Given the current posture of this appeal, the Respondent does not believe it is required, nor would it be appropriate at this time, to file any opposition to Mr. Bauer's motions, which clearly are premature and improper. We do, however, reserve our right to file any opposition to those motions, particularly the Motion of the Appellant to Consider Relevant Evidence, at the appropriate time, if and when Mr. Bauer takes the proper steps under the rules and as stated in your June 9 correspondence to him. We also reserve the right to challenge Mr. Bauer's motions as being frivolous pursuant to Rule 269, SCACR, and to seek attorney's fees in connection therewith.

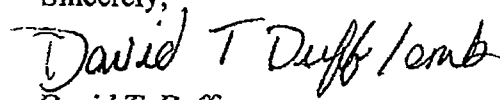
If our understanding of the current status of this appeal and the pending matters is mistaken, or if there are specific actions or steps that Respondent should take at this time, please so advise.

Thank you for your consideration of this matter.

June 20, 2016

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Sincerely,

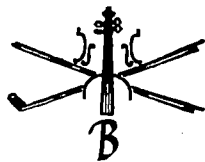
A handwritten signature in black ink that reads "David T Duff /emb". The signature is written in a cursive style with a horizontal line underlining the first name.

David T. Duff

/emb

Cc: Mr. John Alden Bauer, III (via electronic mail)
Drew H. Davis, Esq.
David N. Lyon, Esq.

Alden
John Bauer
109 Ashton Hill Drive
Columbia, S.C. 29229-7308



V. Claire Allen

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