



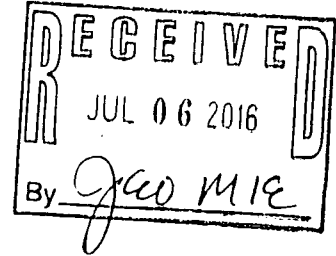
Christine A. Smith  
Court Reporter  
Master in Equity

843.958.5071  
casmith@charlestoncounty.org  
www.charlestoncounty.org

Charleston County Judicial Center  
100 Broad Street, Suite 266  
Charleston, SC 29403

SC Court of Appeals

copy  
July 6, 2016



Court Reporter Christine A Smith

I Harold Simmons is requesting a transcript  
of case No. 2014-CP-10-01635 Filed: April 8, 2015

*Harold Simmons*  
Harold Simmons  
1182 King Street  
Chas S.C. 29403  
843-480-8694

As of today July 25, 2016 I forward a copy of these letter to opposing  
Partys Counsel Att Bruce Alan Berlinsky, And the court of administration  
address 1220 Senate Street, Suite 201, Columbia SC 29201



The South Carolina Court of Appeals

RECEIVED

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

JENNY ABBOTT KITCHINGS  
CLERK  
V. CLAIRE ALLEN  
DEPUTY CLERK

July 13, 2016

Harold Simmons, Jr.  
1182 King St.  
Charleston SC 29403

Re: Allen Livingston v. Harold Simmons  
Appellate Case No. 2016-001201

Dear Mr. Simmons:

Upon reviewing your letter ordering the transcript, the following deficiencies have been noted under the South Carolina Appellate Court Rules (SCACR), and must be corrected within ten (10) days of the date of this letter or your appeal will be dismissed:

- The document does not show that a copy of this correspondence was provided to the opposing party's counsel.
- A copy of this document was not provided to the Office of Court Administration as required by the SCACR. The address for Court Administration is 1220 Senate Street, Suite 201, Columbia, SC 29201.

Very truly yours,

V. Claire Allen, Deputy

CLERK

cc: Bruce Alan Berlinsky, Esquire

July 25, 2016  
AS of today I forward a copy of all documents the opposing party's counsel and office of court of administration is that pages

(10) pages

1 2

cc: Bruce Alan Berlinsky, Esquire

CLERK

*V. Claire Allen, Deputy*

Very truly yours,

Our records reflect that the time for ordering the transcript has expired. Within ten days of the date of this letter, you must file a copy of the letter showing that you have ordered the transcript directly from the court reporter, along with a motion requesting permission to order the transcript outside of the filing deadlines set by Rule 207 of the South Carolina Appellate Court Rules. Your appeal will be dismissed if no motion is made within ten days of the date of this letter.

Dear Mr. Simmons:

Re: Allen Livingston v. Harold Simmons  
Appellate Case No. 2016-001201

Harold Simmons, Jr.  
1182 King St.  
Charleston SC 29403

June 27, 2016

POST OFFICE BOX 11629  
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www.sccourts.org

SC Court of Appeals

JUL 27 2016

JENNY ABBOTT KITCHINGS  
CLERK  
V. CLAIRE ALLEN  
DEPUTY CLERK

The South Carolina Court of Appeals



Copy

copy  
July 6, 2016

CASE NO. 2014-CP-1001635  
Appellate Case No. 2016-00-001201

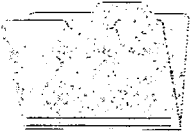
Motion for Extension

Dear Court of Appeals

I Harold Simmons Requesting and Extension For ordering and Receiving the Transcript,

I Harold Simmons Apologize and ASK the court For forgiveness and request Permission for more time outside the filing deadline.

Thank you  
Harold Simmons  
Harold Simmons



# Sandlapper Reporting, LLC

Christine A. Smith, Court Reporter  
P.O. Box 30276  
Charleston, SC 29417  
(843) 958-5071

# Invoice

Number: MIE-16-1175

Date: July 13, 2016

**Bill To:**

Harold Simmons  
3042 North Carolina Avenue  
No. Chas, SC 29405

Date	Description	Amount
12/17/14	Case No. 2014-CP-10-1635 Livingston v. Simmons Transcript of Proceedings	464.10
Please make check payable to: Sandlapper Reporting, LLC and mail to: P.O. Box 30276 Charleston, SC 29417 Federal Tax ID No: 20-4072983		
<b>Total</b>		<b>\$464.10</b>

Payment due upon receipt. Thank you for your order.

Amount Paid: 300.00

Amount Due: 164.10

*5* *4*  
Paid out July 28, 2016

copy

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

RECEIVED

APPEAL FROM CHARLESTON COUNTY  
Court of Common Pleas

JUL 27 2016

SC Court of Appeals

The Honorable Mikell R. Scarborough, Circuit Court Judge

Case No. 2014-CA-1001635

Appellate Case No. 2016-001201

HAROLD SIMMONS JR..

Appellant,

v.

ALLEN LIVINGSTON,

Respondent.

PROOF OF SERVICE

I certify that I have served the ~~Notice~~ <sup>Notice for Extension</sup> on Allen Livingston by depositing a copy of it in the United States Mail, postage prepaid, on ~~May 30~~ <sup>July 6</sup> 2016, addressed to his attorney of record, Bruce A Berlinisky, P.A. One Carriage Lane, Bldg F Charleston, South Carolina 29407 [by personally delivering a copy of it to his attorney of record, Bruce A Berlinisky P.A. at his office at one carriage lane, Bldg F Charleston, South Carolina 29407 on July 6, 2016].

Harold Simmons Jr.  
1182 King Street  
Charleston, South Carolina 29403  
(843) 480-8694  
Pro Se, Appellant  
(843) 480-8694



ATT. COPY

RECEIVED

JUL 27 2016

The South Carolina Court of Appeals  
SC Court of Appeals

JENNY ABBOTT KITCHINGS  
CLERK

V. CLAIRE ALLEN  
DEPUTY CLERK

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

June 27, 2016

Harold Simmons, Jr.  
1182 King St.  
Charleston SC 29403

Re: Allen Livingston v. Harold Simmons  
Appellate Case No. 2016-001201

Dear Mr. Simmons:

The Court received your additional proof of service. However, it is not the correct proof of service. This deficiency must be corrected within ten (10) days of the date of this letter or your motion to proceed in forma pauperis will not be considered:

- The accompanying proof of service is not the proof of service requested by the Court. You must provide a proof of service of your motion to file in forma pauperis.

Very truly yours,

*V. Claire Allen, Deputy*

CLERK

cc: Bruce Alan Berlinsky, Esquire

MAI/out July 2, 2016

THE STATE OF SOUTH CAROLINA )  
In The Court of Appeals :  
COUNTY OF CHARLESTON )

RECEIVED  
IN THE COURT OF APPEALS  
Cause No. 2016-001201

JUL 27 2016

SC Court of Appeals

ALLEN LIVINGSTON )  
Respondent :  
)

-versus-

HAROLD SIMMONS JR. )  
Appellant :  
)

**MOTION AND AFFIDAVIT TO  
PROCEED IN FORMA PAUPERIS**

I, HAROLD SIMMONS JR., being duly sworn, state that I am the Defendant and I do not have the funds available to pay the costs of filing and service in the present matter. I hereby request that the complaint be filed and service made without costs.

Notary Public for South Carolina  
My Commission Expires

Harold Simmons Jr.  
Signature of Defendant

**ORDER**

- Leave is granted to proceed in forma pauperis without payment of filing fee.
- Leave is granted to proceed in forma pauperis without payment of the service cost.
- Leave is denied to proceed in forma pauperis.

Dated: \_\_\_\_\_, 2016  
CHARLESTON, SOUTH CAROLINA

\_\_\_\_\_  
JUDGE/CLERK OF COURT

NOTICE TO DFENDANT: The Court may assess costs against either party at hearing.

copy  
July 6<sup>th</sup> 2016

South Carolina Court of Appeals

RECEIVED

JUL 27 2016

SC Court of Appeals

Dear Court of Appeals

Reason for filing to proceed under Form A Pauperis is  
for work injury I suffer in 2001 and 2003 which  
lead up to me having back surgery in 2010 these are reason  
for having my payments paid in advance. At these time I am  
still under doctor care and barely making ends meet. I am  
a workman's compensation recipient, I pray to proceed under  
Form A Pauperis.

Harold Simmons Jr.  
Harold Simmons Jr.  
1182 King Street  
Chas, S.C. 29403

Fee \$25.00

10

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THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

RECEIVED

APPEAL FROM CHARLESTON COUNTY JUL 27 2016  
Court of Common Pleas

SC Court of Appeals

The Honorable Mikell R. Scarborough, Circuit Court Judge

Case No. 2014-CA-1001635  
Appellate Case No. 2016-001201

HAROLD SIMMONS JR..

Appellant,

v.

ALLEN LIVINGSTON,

Respondent.

PROOF OF SERVICE

I certify that I have served the ~~Forma Pauperis~~ on Allen Livingston by depositing a copy of it in the United States Mail, postage prepaid, on ~~May 30~~ <sup>July 6</sup> 2016, addressed to his attorney of record, Bruce A BerlinSKY, P.A. one Carriage Lane, Bldg F Charleston, South Carolina 29407 [by personally delivering a copy of it to his attorney of record, Bruce A BerlinSKY P.A. at his office at one Carriage Lane, Bldg F Charleston, South Carolina 29407 on May 30, 2016].

May 30, 2016  
and  
July 7, 2016



Harold Simmons Jr.  
1182 King Street  
Charleston, South Carolina 29403  
(843) 480-8694  
Pro Se, Appellant  
(843) 480-8694