

THE STATE OF SOUTH CAROLINA

In The Court of Appeals

APPEAL FROM NEWBERRY COUNTY

Court of Common Pleas

Jean Hoefler Toal, Presiding Judge for the Eighth Judicial Circuit

RECEIVED

FEB 17 2017

SC Court of Appeals

82546

Appellate Case No. 2017-000208

Raj Kumar,

Appellant,

v.

C. D. Coleman Oil Co.,

Respondent.

**MOTION REQUESTING EXTENSION OF TIME
TO ORDER TRANSCRIPT**

Background. On Feb. 13, 2017, Counsel for Appellant received a letter dated February 9, 2017, which states that within ten (10) days of the date of this letter, Appellant's Counsel must file a copy of the letter showing that the transcript was ordered 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.

Authority. Rule 263 of the South Carolina Appellate Court Rules.

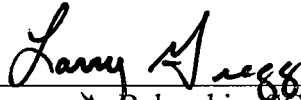
Reasons. On January 27, 2017, a request was made through email for the transcription of the

✓

audio from the Magistrate Hearing held on May 27, 2016. On January 30, 2017, a stenographer agreed through email to transcribe the audio from the Magistrate Hearing held on May 27, 2016. A copy of the aforementioned email chain pertaining to the request for transcription of the Hearing held May 27, 2016 is attached hereto as Exhibit "A". Appellant's Counsel was unaware that a transcript was necessary for the Hearing on November 7, 2016; however, on February 13, 2017 a request was made for the transcript from the Hearing held on November 7, 2016. A copy of the request made on February 13, 2017 is attached hereto as Exhibit "B".

Because of this, Appellant's Counsel asks for an extension of time to order the transcript from the hearing held on November 7, 2016.

Respectfully Submitted,



Thomas A. Belenchia, SC Bar No: 2371
Larry E. Gregg, II, SC Bar No: 101215
Chelsea R. Rikard, SC Bar No: 102
A BUSINESS LAW FIRM, LLC
Post Office Box 3421
Spartanburg, South Carolina 29304
(864) 699-9801
Attorneys for Appellant

February 15, 2017

Exhibit "A"

Email Chain Requesting Transcription of Audio from Hearing Held on
May 27, 2016

Larry Gregg

From: Danniell Johnston <cdj@abizlaw.com>
Sent: Tuesday, February 14, 2017 4:16 PM
To: Larry E. Gregg II
Subject: FW: Transcribe 2 CD's

From: Sandy Satterwhite [mailto:satterwhite@charter.net]
Sent: Tuesday, January 31, 2017 8:36 AM
To: Danniell Johnston
Subject: Re: Transcribe 2 CD's

Thank you!

Sent from my iPhone

On Jan 31, 2017, at 7:55 AM, Danniell Johnston <cdj@abizlaw.com> wrote:

Ms. Satterwhite,
I will have the cd's ready for your you.
Thank you for your help.
Respectfully,
<image001.jpg>
C. Danniell Johnston / Paralegal
cdj@abizlaw.com
A Business Law Firm, LLC
O: 864-699-9801
F: 864-699-9803
P.O Box 3421
Spartanburg, SC 29304
[Website](#)

From: Sandy Satterwhite [mailto:satterwhite@charter.net]
Sent: Monday, January 30, 2017 4:47 PM
To: Danniell Johnston
Subject: Re: Transcribe 2 CD's

I can come and pick them up tomorrow, if that works for you.

Sent from my iPhone

On Jan 30, 2017, at 12:13 PM, Danniell Johnston <cdj@abizlaw.com> wrote:

Ms. Satterwhite,
Do I need to bring the cd's to your office or would you prefer for me to send them in the mail?

Respectfully,
<image001.jpg>
C. Dannel Johnston / Paralegal
cdj@abizlaw.com
A Business Law Firm, LLC
O: 864-699-9801
F: 864-699-9803
P.O Box 3421
Spartanburg, SC 29304
[Website](#)

From: Sandy Satterwhite [<mailto:satterwhite@charter.net>]
Sent: Friday, January 27, 2017 4:32 PM
To: Dannel Johnston
Subject: Re: Transcribe 2 CD's

Estimate usually 40 to 50 pages per hour, and it is \$ 5.00 per page.

Sent from my iPhone

On Jan 27, 2017, at 4:12 PM, Dannel Johnston <cdj@abizlaw.com> wrote:

Dear Ms. Satterwhite,
We have 2 cd's that can hold 120 minutes each. How much would it cost to transcribe these cd's?
These cd's are from a court hearing in Magistrate Court.
Respectfully,
<image001.jpg>
C. Dannel Johnston / Paralegal
cdj@abizlaw.com
A Business Law Firm, LLC
O: 864-699-9801
F: 864-699-9803
P.O Box 3421
Spartanburg, SC 29304
[Website](#)

Exhibit "B"

Request for Transcript from Hearing Held November 7, 2016

THOMAS A. BELENCHIA
TAB@ABIZLAW.COM
LICENSED IN NC & SC



LARRY E. GREGG II
LEG@ABIZLAW.COM
LICENSED IN SC

CHELSEA R. RIKARD
CRR@ABIZLAW.COM
LICENSED IN SC

Attorneys and Counselors at Law

February 13, 2017

US Postal Mail and Electronic Mail

Joy E. Holston
118 Sandy Beach Drive
Prosperity, SC 29127
jholston@sccourts.org

Re.: Transcript Needed
Case: Raj Kumar, Appellant vs. C.D. Coleman Oil Co., Respondent
Case No.: 2016-CV-36-00813

Dear Ms. Holston:

It is our understanding that you were the Court Reporter for the above-mentioned case that was heard in front of Judge Toal on November 7, 2016. We will need a copy of the transcript for the above-mentioned matter.

If you have any question or concerns, please contact our office.

Respectfully,


C. Danielle Johnston
Paralegal

BUSINESS
LAW FIRM
LLC

THE STATE OF SOUTH CAROLINA

In The Court of Appeals

RECEIVED

APPEAL FROM NEWBERRY COUNTY

FEB 17 2017

Court of Common Pleas

SC Court of Appeals

Jean Hoefler Toal, Presiding Judge for the Eighth Judicial Circuit

Appellate Case No. 2017-000208

Raj Kumar,

Appellant,

v.

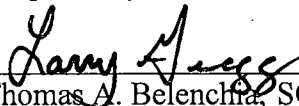
C. D. Coleman Oil Co.,

Respondent.

PROOF OF SERVICE

I certify that I have served the **Appellant's Motion Requesting Extension of Time to Order Transcript** on C.D. Coleman Oil Co., by depositing a copy of it in the United States Mail, postage prepaid, addressed to his attorney of record, Kyle B. Parker, P. O. Box 190, Newberry, South Carolina 29108.

Respectfully Submitted,



Thomas A. Belenchia, SC Bar No: 2371

Larry E. Gregg, II, SC Bar No: 101215

Chelsea R. Rikard, SC Bar No: 102

A BUSINESS LAW FIRM, LLC

Post Office Box 3421

Spartanburg, South Carolina 29304

(864) 699-9801

Attorneys for Appellant

February 15, 2017

THOMAS A. BELENCHIA
TAB@ABIZLAW.COM
LICENSED IN NC & SC



LARRY E. GREGG, II
LEG@ABIZLAW.COM
LICENSED IN SC

CHELSEA R. RIKARD
CRR@ABIZLAW.COM
LICENSED IN SC

Attorneys and Counselors at Law

February 15, 2017

The Honorable Jenny Abbott Kitchings
Clerk, South Carolina Court of Appeals
P.O. Box 11629
Columbia, South Carolina 29211

RECEIVED

FEB 17 2017
SC Court of Appeals

RE: APPELLANT'S MOTION REQUESTING EXTENSION OF TIME TO
ORDER TRANSCRIPT
Appellate Case No.: 2017-000208
Appellant: Raj Kumar
Respondent: C D Coleman Oil Co.


Dear Ms. Kitchings:

Enclosed for filing is an original and seven (7) copies of the following documents:

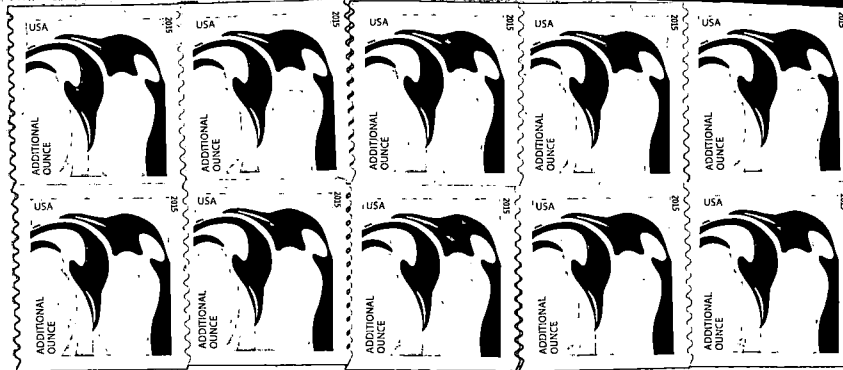
1. Motion Requesting Extension of Time to Order Transcript;
2. Proof of Service showing that such Motion has been served on Respondent's attorney.

Also enclosed is Check No.: 2508 in the amount of Twenty-Five (\$25.00) Dollars for the filing fee. Upon filing, please return a clocked copy to me in the self-addressed, stamped envelope. By copy of this letter, I am also serving the Respondent's attorney with a copy of the enclosed documents.

Sincerely,
A BUSINESS LAW FIRM, LLC


Larry E. Gregg, II
Attorney for Appellant

cc: Kyle B. Parker, Esq.
POPE & HUDGENS, P.A.
P.O. Box 190
Newberry, SC 29108



A Business Law Firm, LLC
PO Box 3421
Spartanburg, SC 29304

RECEIVED

FEB 17 2017
SC Court of Appeals

The Honorable Jenny Abbott Kitchings
Clerk, South Carolina Court of Appeals
P.O. Box 11629
Columbia, South Carolina 29211