

September 20, 2017

Jenny Abbott Kitchings
Clerk of Court
South Carolina Court Of Appeals
1220 Senate Street
Columbia, SC 29201
Fax: (803) 734-1839

RECEIVED
SEP 20 2017
SC Court of Appeals

Re: Appellate Case No. 2017-001435
Transcript Order from Court Reporter Rule 207(a) and 207(b)

To Whom It May Concern:

After speaking with your office staff about not receiving the transcript as requested and documented in the Notice of Service to Ms. Wanda Fudge – Greenville County Court Reporter even though she has sent documents in to say she did respond, hence your office has stated I only have 10 days to draft the initial brief or my appeal case will be dropped I was informed to send this letter to your office as well as to send a copy to Ms. Fudge as well to request that that time period be withheld because Ms. Fudge still has not provided the transcript. If the Court of Appeals decides against that then I hereby request that the 30 days to draft the initial brief be started from the date of the attached letter that was received from Ms. Fudge with the date of September 11, 2017 and that the court reporter be held in contempt for not providing this information prior to the 60 days that was required of them by Part II Appendix B Appeals Court time structure diagram. I hereby request this and in due respect would fully request that the court expand that out to 90 days (and the court reporter still be held in contempt) from the September 11, 2017 date of said letter because even said letter still has not provided the requested documents per the order of the transcript that Ms. Fudge herself states she received on June 26, 2017. Ms. Fudge has only contacted me 3 times via phone call and not through letter or certified mail regarding said transcript below is a transcript of each phone call she has left for me, and each time when I get home the office is closed and I cannot leave a message and I cannot make personal calls on my job during the day.

Voicemail left on June 26, 2017 @ 4:18 pm

"Mr. Butler this is Wanda Fudge... I am the court reporter a hearing for your case that I received your letter for today. I was calling to ask if you had an email address so that I could email you a response to this letter. If you have one if you could call and leave me a voicemail with your email address that way I can email you regarding this matter. I am sorry if you would like to call me my number is 467-8561 and my email address is wfudge@greenvillecounty.org. Thank you and good bye."

Voicemail left on June 27, 2017 @ 3:51 pm

"Mr. Butler this is Wanda Fudge with Judge Simmons office calling uhm.. you to ask you to please give me a call at 864-467-8561. I need to get your email address so that I can respond to you regarding your letter for a transcript and to let you know some more information about this. Please give me a call. Thank you bye bye."

Voicemail left on July 12, 2017 @ 9:59am

"Mr. Butler this is Wanda Fudge with Judge Simmons office. I have been trying to reach you regarding your request for transcript ... and have been unable to reach you but if you could please give me a call at 467-8561. Thank you bye bye."

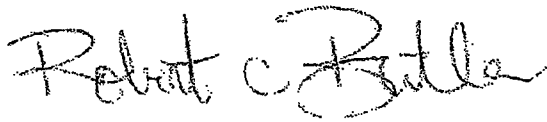
As anyone reading this can see Ms. Fudge even after these three times of contact never sent anything to me via mail stating that she was trying to reach me, any copy of the transcript as the request stated or even a letter stating that I would be charged a fee for the transcript as Desiree Allen that is over her stated they were required to collect and that and I quote her "None of her employees were required to produce the transcript at no cost". She also wanted to argue what your office stated when I contacted them about this matter originally back in July 2017. That being that if Ms. Fudge did not hear back from me she had been sent the request for the transcript and as by Appeals law she was obligated to send written notification and the transcript for me. Your office stated that yes some of the courts had been doing as they called e-filing the transcripts but that again when a transcript is requested that court reporter must produce that transcript to the party that requested it. Ms. Allen wanted to argue on the phone with me that even though this was part of the state's Appeal process that all her staff was required to do was sent notification to the requestor that the case was available online through e-file.

In addition to those facts the plain fact remains that when Ms. Fudge was contacted by your office about this matter and why a transcript had not been sent to me she argued to begin with that it was entered into the e-file on May 30, 2017 and your office stated that she claimed to have responded to the transcript request at that time, even though she never received the request for transcript until as she states in her own correspondence June 26, 2017. As also evidenced by all of the transcripts from Ms. Fudge's voicemail at no time did she state there would be a charge for the transcript hence why one was not being produced per the transcript request. All she kept stating was that she wanted me to contact her back which I did each time when I was able to and never was able to leave a voicemail. She states in her letter to me, see attached, dated September 11, 2017 that the transcript is only 4 pages, but yet again instead of sending the transcript with the letter or even prior to the letter she sends me copies of emails that she sent to Desiree Allen (dated: June 28, 2017; July 12, 2017) which totals 7 pages which is more pages then are contained according to Ms. Fudge in the court transcript which she still as of 09/20/2017 has not supplied in response to the transcript request. Those emails were not even sent to the SC Court of Appeals but instead to Ms. Allen, whom I can only assume forwarded them to your office.

So in closing I request that this be noted in the court documents for this case as a blatant attempt by Ms. Fudge the court reporter from Judge Simmons to circumvent the appeals process by stating the incorrect facts to your office and implying that she had sent the transcript when all the attached documentation shows the contrary to her statement stating that it was submitted to me. By her doing this blatant act, which is referenced when instead of going to your office and asking your opinion, she instead goes to one Desiree Allen with these issues who then forwards them to your office she is still violating a court order for the transcript, and breaking the appeals process by lying under oath of her job that she has sent the transcript when she has not and it is very outlined in her own letter to

me dated September 11, 2017 that it is her intention that her job is done once she notifies me of it being e-filed (which did not occur until this letter) whereas your own office staff have informed me that she is required to send a paper copy by the rule of law, which she still has not sent and has since violated the "Request for Transcript" that was my legal right to obtain to continue the path of the appeal. By allowing this travesty of activities and honoring her statement that the transcript was sent, which again it was not, and requiring me to respond to it within 10 days or my case will be dismissed your office would be violating my rights for a valid and legal appeal process while letting the office of Judge Simmons and his staff to continue this mockery of the rights afforded to me by the state.

Sincerely,

A handwritten signature in cursive script that reads "Robert C Butler". The signature is written in black ink and is positioned above the typed name and address.

Robert C Butler
18 Melvin Dr
Greenville, SC 29605
864-277-8761

CC: Wanda E Fudge
Court Reporter
Suite 313, County Courthouse
Greenville, SC 29601

ATCH: Letter from Ms. Fudge dated September 11, 2017



State of South Carolina
Equity Court

Suite 313, County Courthouse
Greenville, S.C. 29601

CHARLES B. SIMMONS, JR.
Judge

September 11, 2017

Telephone (864) 467-8556

RECEIVED
SEP 20 2017

Robert C. Butler
18 Melvin Drive
Greenville, SC 29605

RE: Nationstar Mortgage LLC, Respondent v. Robert Butler, Appellant
2016-CP-23-04789

SC Court of Appeals

Dear Mr. Butler,

I have tried on numerous occasions to reach you by telephone and left voicemails but have been unable to reach you regarding your request for a Transcript. Additionally, I have emailed Court Administration and called the Court of Appeals and let them know of my efforts to reach you. I hope you receive this letter.

A hearing was held on the above matter on May 18, 2017. The Transcript was prepared and e-filed on May 30, 2017. The Transcript is only 4 pages. Therefore, I have been trying to reach you to let you know that you can receive the Transcript off of the Public Index and would not charge you for the Transcript.

If you have any questions, please do not hesitate to call me at 864-467-8561 or email me at wfudge@greenvillecounty.org.

Sincerely,

Wanda E. Fudge
Court Reporter

cc: S.C. Court Administration
Clerk, Court of Appeals

Fudge, Wanda

From: Fudge, Wanda
Sent: Wednesday, June 28, 2017 10:47 AM
To: 'dallen@sccourts.gov'
Cc: Simmons, Judge Charles
Subject: Nationstar Mortgage, LLC v. Robert Butler, 2016-CP-23-4789

Good morning, Desiree. A hearing was held in the above matter before Judge Simmons on May 18, 2017. As this was a foreclosure hearing and as per our office policies and procedures, a Transcript was prepared of that hearing. The Transcript was e-filed and accepted by the Clerk's Office and has been on the Public Index since May 30th. On June 26, 2017 I received a Transcript request from Mr. Butler. I have attempted to contact him on June 26th and 27th and left voicemails requesting an email address and haven't received a response from him. I have been trying to contact Mr. Butler in order to relay this information to him and have been unable to do so. I will continue to attempt to contact him, but just wanted to let Court Administration know that the Transcript has already been prepared.

If you have any questions, please feel free to contact me.

RECEIVED

Thank you and have a great day, Wanda

SEP 20 2017

Wanda Fudge, Court Reporter
The Honorable Charles B. Simmons, Jr.
Office of Master in Equity
Greenville County Courthouse
305 E. North Street, Suite 313
Greenville, SC 29601

SC Court of Appeals

Subject: RE: Nationstar Mortgage LLC v. Robert Butler, 2016-CP-23-4789

CAUTION: This email is from an EXTERNAL source. Ensure you trust this sender before clicking on any links or attachments.

Thank you. I did get it this time.

From: Fudge, Wanda [mailto:WFudge@greenvillecounty.org]
Sent: Wednesday, June 28, 2017 11:01 AM
To: Allen, Desiree <DAlien@sccourts.org>
Subject: RE: Nationstar Mortgage LLC v. Robert Butler, 2016-CP-23-4789

Desiree, I am going to try to send this to you again. I hope you get it this time!

Thanks, Wanda

Wanda Fudge, Court Reporter
The Honorable Charles B. Simmons, Jr.
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Greenville County Courthouse
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Greenville, SC 29601

7/12/2017

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7/12/2017

**Fudge, Wanda**

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**To:** 'Allen, Desiree'  
**Subject:** RE: Nationstar Mortgage LLC v. Robert Butler, 2016-CP-23-4789

I will let them know. I did contact them on the 29<sup>th</sup> and let them know that I haven't been able to reach him, but I will contact them again.

Thanks. I hope you and your family are doing well. Take care, Wanda

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SEP 20 2017

SC Court of Appeals

**Wanda Fudge, Court Reporter**  
**The Honorable Charles B. Simmons, Jr.**  
**Office of Master in Equity**  
**Greenville County Courthouse**  
**305 E. North Street, Suite 313**  
**Greenville, SC 29601**

**From:** Allen, Desiree [mailto:DAllen@sccourts.org]  
**Sent:** Wednesday, July 12, 2017 10:42 AM  
**To:** Fudge, Wanda  
**Subject:** RE: Nationstar Mortgage LLC v. Robert Butler, 2016-CP-23-4789

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Wanda, the Ct. of Appeals needs to have this information. Please contact them as well. Thanks.

**From:** Fudge, Wanda [mailto:WFudge@greenvillecounty.org]  
**Sent:** Wednesday, July 12, 2017 9:08 AM  
**To:** Allen, Desiree <DAllen@sccourts.org>  
**Subject:** RE: Nationstar Mortgage LLC v. Robert Butler, 2016-CP-23-4789

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Thanks and have a great day, Wanda.

**Wanda Fudge, Court Reporter**  
**The Honorable Charles B. Simmons, Jr.**  
**Office of Master in Equity**  
**Greenville County Courthouse**  
**305 E. North Street, Suite 313**  
**Greenville, SC 29601**

**From:** Allen, Desiree [mailto:DAllen@sccourts.org]  
**Sent:** Wednesday, June 28, 2017 1:19 PM  
**To:** Fudge, Wanda

7/12/2017

**Fudge, Wanda**

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734.1890 is the number. You should call someone in that office, because I don't know.

**From:** Fudge, Wanda [mailto:WFudge@greenvillecounty.org]  
**Sent:** Wednesday, June 28, 2017 1:14 PM  
**To:** Allen, Desiree <DAllen@sccourts.org>  
**Subject:** RE: Nationstar Mortgage LLC v. Robert Butler, 2016-CP-23-4789

Desiree, can you please give me the email of Jenny Kitchings at the Court of Appeals? Or is my email to you sufficient regarding the Transcript?

Thanks, Wanda

**Wanda Fudge, Court Reporter**

**The Honorable Charles B. Simmons, Jr.**  
**Office of Master in Equity**  
**Greenville County Courthouse**  
**305 E. North Street, Suite 313**  
**Greenville, SC 29601**

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**From:** Allen, Desiree [mailto:DAllen@sccourts.org]  
**Sent:** Wednesday, June 28, 2017 11:04 AM  
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7/12/2017

**PROOF OF SERVICE**

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

APPEAL FROM GREENVILLE COUNTY  
Court of Common Pleas

Charles B Simmons Jr., Circuit Court Judge

Appellate Case No. 2017-001435

**RECEIVED**

SEP 20 2017

SC Court of Appeals

Nationstar Mortgage LLC, Respondent,

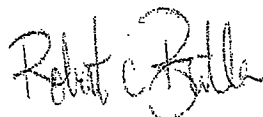
v.

Robert Butler, Appellant.

**PROOF OF SERVICE**

I certify that I have served a letter to one Wanda Fudge, court reporter for Judge Simmons at Suite 313, County Courthouse Greenville, SC 29601 on September 20, 2017 in regards to her false statement to the South Carolina Court of Appeals stating that she had sent the transcript to me that was requested on June 26, 2017. I am also forwarding the same letter to the office of South Carolina Court of Appeals with evidence attached from the letter Ms. Fudge sent dated September 11, 2017 which in and of itself shows where she has still as of that date has not submitted the transcript as requested by the order dated June 26, 2017.

September 20, 2017



Robert Butler  
18 Melvin Drive  
Greenville, South Carolina 29605  
(864) 277-8761  
Appellant

# FAX COVER SHEET

|           |                         |
|-----------|-------------------------|
| TO        |                         |
| COMPANY   |                         |
| FAXNUMBER | 18037341839             |
| FROM      | Lee Garner              |
| DATE      | 2017-09-20 17:58:01 GMT |
| RE        |                         |

## COVER MESSAGE

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SEP 20 2017

SC Court of Appeals