

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM YORK COUNTY
Court of Common Pleas
Case No. 2017-CP-46-01617

JOHN C. HAYES, III, Circuit Court Judge

Appellate Case No. 2017-002611

City of Rock Hill,

Appellant,

v.

Andrew R. Maupin,

Respondent.

RECEIVED

JAN 10 2018

SC Court of Appeals

APPELLANT'S MOTION TO FILE OUT OF TIME
PROOF OF ORDERING THE TRANSCRIPT FROM COURT REPORTER

Now comes the City of Rock Hill, by and through the undersigned counsel, who respectfully requests and moves this Court to allow the Appellant to file proof that the transcript was ordered out of time pursuant to Rule 207, SCACR.

Appellant would note that the transcript was ordered on December 28, 2017 the day after this appeal was filed on December 27, 2017 and a copy of the notice that the transcript was ordered was sent to both the Respondent and the Clerk of Court for York County. However, Appellant inadvertently did not copy the Clerk of Court for the Court of Appeals on the correspondence showing that the transcript had been ordered. Attached and made a part of this motion as exhibit A is a copy of the letter ordering the transcript from the court reporter.

Appellant respectfully requests that the Court grant the motion to allow for late filing proof that the transcript from the proceeding below was timely ordered by Appellant.

January 10, 2018



Christopher E. A. Barton
201 E. Main St., 3rd Floor
Rock Hill, South Carolina 29730
(803) 329-5692
SC Bar No: 65261
Attorney for Respondent



December 29, 2017

Wanda Nelson
Post Office Box 743
York, SC 29745

RE: City of Rock Hill v. Andrew Maupin
Case No. 2017-CP-46-01617

Dear Ms Nelson:

On November 7, 2017, the above case was heard before the Honorable John C. Hayes, III, Resident Circuit Court Judge, in York County. Our records indicate that you were the court reporter for this case.

I request that you provide me with a transcript of the proceedings. Please transcribe the entire record. I agree to pay the per page charge for this transcript as provided by Rule 607, SCAR. Please also provide us with a signed W-9 form reflecting your information so that your invoice can be processed when received.

Truly Yours,

Christopher E.A. Barton
201 E. Main St, 3rd Floor
Rock Hill, SC 29730
(803) 329-5692
Attorney for the City of Rock Hill

cc: Michael L. Brown, Jr.
Post Office Box 1025
Rock Hill, SC 29730
(803) 329-8822
Attorney for Respondent

David Hamilton, York County Clerk of Court

CITY OF ROCK HILL SOLICITOR'S OFFICE

201 E. MAIN STREET, 3RD FLOOR, ROCK HILL, SOUTH CAROLINA 29730
OFFICE 803/329-5619 FACSIMILE 803/326-3863

THE STATE OF SOUTH CAROLINA
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SC Court of Appeals

The City of Rock Hill,

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v.

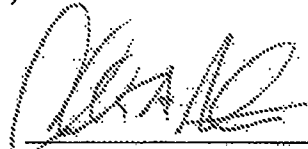
Andrew R. Maupin,

Respondent.

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the Motion to File Out of Time Proof of Ordering the Transcript from the Court Reporter has been served upon opposing counsel by mailing a copy via regular U.S. Mail on the 10th day of January, 2018, to Michael L. Brown, Jr., Attorney for Respondent Post Office Box 1025 Rock Hill, South Carolina 29730.

I also certify that all parties required by Rule 203(b) SCACR to be served have been served.



Christopher E. A. Barton
201 E Main Street, 3rd Floor
Rock Hill, South Carolina 29730
(803) 329-5692
ATTORNEY FOR APPELLANT



10 January 2018

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JAN 10 2018

SC Court of Appeals

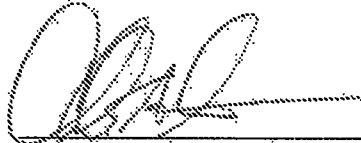
Jenny Abbott Kitchings
South Carolina Court of Appeals
Post Office Box 11629
Columbia, SC 29211

RE: City of Rock Hill, Appellant v. Andrew Ryan Maupin, Respondent
Appellate Case No. 2017-002611.

Dear Ms Kitchings:

Enclosed please find the Motion to File Out of Time for the above-referenced case, as well as a copy of the correspondence requesting the transcript for the above-referenced case and a copy of the Certificate of Service for the same.

Truly Yours,



Christopher E.A. Barton
201 E Main St, 3rd Floor
Rock Hill, SC 29730
(803) 329-5692
SC Bar No: 65261
Attorney for Appellant

cc: Michael Brown, Esquire
Post Office Box 1025
Rock Hill, SC 29731
Attorney for Respondent

CITY OF ROCK HILL SOLICITOR'S OFFICE

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