

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM YORK COUNTY
Court of Common Pleas

Hon. S. Jackson Kimball, III
Special Circuit Court Judge
York County Master in Equity

RECEIVED
JUL 09 2018
SC Court of Appeals

Appellant Case No. 2018-000411

Suzette LeFebvre.....Appellant

vs.

Blanco GmbH+CO.KG.....Respondent

APPELLANT'S MOTION TO
RECONSIDER DISMISSAL

The undersigned counsel for the Appellate does hereby respond to the Court's Order dismissing the Appellant's Appeal, dated June 22, 2018, and hereby requests a rehearing or reconsideration of the Court's Order, pursuant to Rule 221 of the South Carolina Appellate Court Rules. In support of counsel's request, counsel would allege the following:

Counsel's letter to the Court, dated June 18, 2018 referred to the lack of a transcript from the original hearing in the York County Master in Equity's office. A copy of that letter is attached and incorporated by reference.

Counsel finally received a written response from the Court Reporter at the York County Master in Equity's office. Said correspondence was a letter, attached

to an email sent to counsel, and not received until June 28th, 2018. A copy of the email and the written correspondence are also attached to this Motion and incorporated by reference.

Counsel would further point out that the correspondence of the Court Reporter indicated that no transcript had been prepared of the original hearing, which was contrary to counsel's initial belief that such a transcript had been taken and was needed for counsel's appeal.

Counsel respectfully requests the Court of Appeals reconsider the dismissal of the above-referenced appeal and for such other and further relief as might be just and proper.

July 3, 2018

Halford Niemiec & Freeman, L.L.P.



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June 18, 2018

SC Office of Court Administration
1220 Senate St., Ste. 201
Columbia, SC 29201

COPY

Re: LeFebvre v. Blanco GmbH+CO.KG
Appellate Case No.: 2018-000411

Dear Sir or Madame:

I am writing you at the suggestion of the clerk's office of the South Carolina Court of Appeals, regarding the transcript of the hearing in the above-referenced matter. This matter was heard by the York County Master-in-Equity's Office on January 18, 2018. Based on the Master's ruling, I filed an appeal shortly thereafter. I sent a letter to Ms. Wanda Nelson requesting a copy of the transcript (and her invoice for the same) on March 14, 2018. A copy of that letter is enclosed. I still have not received the transcript, nor a bill for it, as of the date of this letter. I completely understand if Ms. Nelson needs any additional time to prepare the transcript, but the Clerk's office has asked me to contact you pursuant to Rule 207 of the SC Appellate Court Rules; hence this letter.

Thank you in advance for any assistance or guidance you can provide in this matter.

Sincerely,

P John Freeman

Cc: SC Court of Appeals, PO Box 11629, Columbia, SC 29211
Mr. Robert Bernstein, Bernstein & Bernstein, PO Box 20519, Charleston, SC 29413

John Freeman

From: Nelson, Wanda S. <WNelson@sccourts.org>
Sent: Thursday, June 28, 2018 3:02 PM
To: John Freeman
Subject: Response to Suzette LeFebvre v. Blanco GmgH+CO.KG
Attachments: Acknowledgement of Receipt of Letter for Transcript to Mr. Freeman .docx

Mr. Freeman, per instructions following your inquiry to South Carolina Court Administration, please find attached my response to your request for above-referenced transcript.

Wanda Nelson

COPY

Wanda Nelson, CVR-M
Circuit Court Reporter
To The Honorable Daniel D. Hall
Sixteenth Judicial Circuit
Union and York Counties
P.O. Box 743
York, SC 29745

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State of South Carolina  
The Sixteenth Judicial Circuit  
Union & York Counties

March 27, 2018

COPY

Wanda S. Nelson, CVR-M  
Circuit Court Reporter

P.O. Box 743  
York, South Carolina 29745

Mr. P. John Freeman

Halford Niemiec & Freeman LLP  
238 Rockmont Drive  
Fort Mill, SC 29708

Case Caption: Suzette LeFebvre v. Blanco GmbH+CO.KG  
Case No.: 2017-CP-46-00867

Hearing Date: January 18, 2018

Before: The Honorable S. Jackson Kimball

Mr. Freeman:

This is to acknowledge that on I am in receipt of your letter dated  
March 14, 2018, requesting the transcript of record in the above-referenced matter.

My records indicate that no record was taken and the case was continued.  
You however did make an appearance as my records also indicate.

Thank you.

Wanda S. Nelson, CVR-M  
Circuit Court Reporter  
Sixteenth Judicial Circuit  
Union and York Counties

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July 3, 2018

SC Court of Appeals  
PO Box 11629  
Columbia, SC 29211

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JUL 09 2018

SC Court of Appeals


Re: LeFevbre v. Blanco GmbH+CO.KG  
Appellate Case No.: 2018-000411

Dear Sir or Madame:

Enclosed with this letter, please find my motion for reconsideration of dismissal of the above-referenced appeal, together with enclosures, which I am sending to you pursuant to Rule 221 of the Appellate Rules.

Please advise me if anything further is needed regarding this matter.

Sincerely,

  
P. John Freeman

Cc: Mr. Robert Bernstein, Bernstein & Bernstein, PO Box 20519, Charleston, SC 29413

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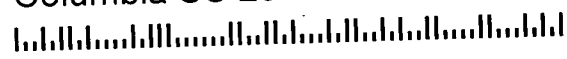
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S.C. Court of Appeals  
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Columbia SC 29201-3769



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