

THE STATE OF SOUTH CAROLINA

In The Court of Appeals

Gregory T. Christian,)
 Appellant)
)
 v.)
)
 Anna Healy,)
 Greenville Police Officer Andrew League,)
 City of Greenville, South Carolina)
 Defendants)
)
 Of whom Anna Healy is the Respondent)
 _____)

CA No.: 2018-001600

**APPELLANT'S MOTION
 REQUESTING PERMISSION TO
 ORDER TRANSCRIPT OUTSIDE
 OF FILING DEADLINE
 SET BY RULE 207.**

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 SC Court of Appeals

Appellant Gregory T. Christian moves this Court grant permission to order hearing transcript outside of filing deadline set by Rule 207, and says in support thereof that:

1. Appellant pursues appeal of July 30, 2018 Circuit Court Order Granting Defendants' Motions to Dismiss in CA No.: 2018-CP-23-02513, specifically that portion of the Order granting dismissal to Respondent/Defendant Anna Healy. The action concerns a claim of defamation arising from allegations by Respondent Healy that Appellant stole a ring from a yard sale she was conducting. The Order Granting Defendants' Motions to Dismiss was issued following a hearing July 17, 2018.
2. On September 27, Appellant received notice from the Clerk's Office that the appeal would be dismissed if Appellant did not within 10 days file a copy of a letter showing Appellant ordered the transcript directly from the court reporter, and additionally file this Motion requesting permission to order the transcript outside of the filing deadlines set by Rule 207.

3. Appellant the same day contacted opposing counsel concerning the matter. Appellant sent an email the following day to court reporter Hollie Jenkins inquiring about preparation of a transcript.

4. Appellant filed Initial Brief of Appellant Oct. 1.

5. Appellant has this day requested preparation of a full transcript of the hearing of Defendants' Motions to Dismiss from court reporter Hollie Jenkins, and has this day filed a copy of the letter showing same, with service upon opposing counsel.

6. Appellant proceeds *pro se*, and mistakenly believed a transcript was required only in case of appealing the outcome of a trial. Appellant's mistaken belief arose from the language of Rule 207(a)(1), beginning "Where a transcript of the proceeding must be prepared by a court reporter", from which language Appellant in error inferred a transcript was not required for all appeals. Appellant's mistaken belief further arose from Form 10 posted on the South Carolina Judicial Department website, "Agreement to Order Less Than the Entire Transcript", which form provides for omission of "Selection and swearing of the jury". Appellant admits Appellant's inferences were over broad, and Appellant should have clarified the matter with the Clerk's Office.

7. Appellant believes the error is not prejudicial to Respondent Healy, and regrets any inconvenience caused by his mistake.

WHEREFORE, Appellant moves for permission to order transcript outside of filing deadline set by Rule 207.

Respectfully submitted October 2, 2018



Gregory T. Christian/Appellant
15 Gallivan St.
Greenville, SC 29609

CERTIFICATE OF SERVICE

I certify that on October 2, 2018 I served a copy of this APPELLANT'S MOTION REQUESTING PERMISSION TO ORDER TRANSCRIPT OUTSIDE OF FILING DEADLINE SET BY RULE 207(a)(1) on Respondent Anna Healy's counsel of record, addressed as shown below:

Carl F. Muller
607 Pendleton St., Suite 201
Greenville, SC 29601

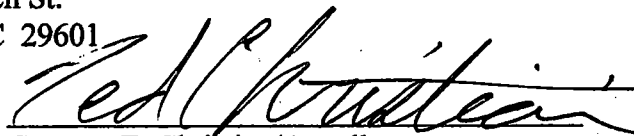
and additionally that I served a courtesy copy upon the counsel of record for Defendants Greenville Police Officer Andrew League and the City of Greenville, South Carolina, addressed as shown below:

Ross B. Plyler
Roe Cassidy Coates and Price
1052 N. Church St.
Greenville, SC 29601

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SC Court of Appeals



Gregory T. Christian/Appellant
15 Gallivan St.
Greenville, SC 29609

October 2, 2018

Court Reporter Hollie Jenkins
Post Office Box 16506
Greenville, South Carolina 29606

RE: Gregory T. Christian, Plaintiff, v. Anna Healy, Greenville Police Officer Andrew League,
City of Greenville, South Carolina, Defendants, CA No.: 2018-CP-23-02513, Appellate
Case No. 2018-001600


Dear Ms. Jenkins:

On July 17, 2018, a hearing in the above case was held before the Honorable Alex Kinlaw, Jr., Circuit Court Judge.

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, SCACR.

Sincerely,



Gregory T. Christian/Plaintiff
15 Gallivan St.
Greenville, SC 29609
(864) 232-9966

cc: Jenny Abbott Kitchings
Clerk, Court of Appeals
PO Box 11629
Columbia, SC 29211

S.C. Court Administration
1220 Senate St., Suite 201
Columbia, SC 29201

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SC Court of Appeals

CERTIFICATE OF SERVICE

I certify that on October 2, 2018 I served a copy of this APPELLANT'S LETTER TO COURT REPORTER ORDERING TRANSCRIPT OF JULY 17 HEARING OF DEFENDANTS' MOTIONS TO DISMISS IN THE ABOVE CAPTIONED ACTION on Respondent Anna Healy's counsel of record, addressed as shown below:

Carl F. Muller
607 Pendleton St., Suite 201
Greenville, SC 29601

and additionally that I served a courtesy copy upon the counsel of record for Defendants Greenville Police Officer Andrew League and the City of Greenville, South Carolina, addressed as shown below:

Ross B. Plyler
Roe Cassidy Coates and Price
1052 N. Church St.
Greenville, SC 29601



Gregory T. Christian/Appellant
15 Gallivan St.
Greenville, SC 29609

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October 2, 2018

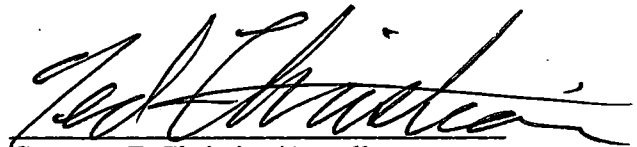
The Honorable Jenny Abbott Kitchings
Clerk, South Carolina Court of Appeals
Post Office Box 11629
Columbia, South Carolina 29211

RE: Gregory T. Christian, Appellant, v. Anna Healy, Greenville Police Officer Andrew League, City of Greenville, South Carolina, Defendants, Of Whom Anna Healy is the Respondent, Case No. 2018-001600; specifically in response to September 25 letter from your office advising of deficiency regarding transcript of hearing

Dear Ms. Kitchings:

Per your notice of September 5, please accept for filing the enclosed 1) original and six copies of Appellant's Motion Requesting Permission to Order Transcript Outside of Filing Deadline Set By Rule 207 and 2) Appellant's letter to Court Reporter Holly Jenkins requesting a full transcript of the July 17 hearing of Defendants' Motions to Dismiss in the matter of CA No.: 2018-CP-23-02513. Also enclosed is a \$25 check for the filing fee.

Sincerely,



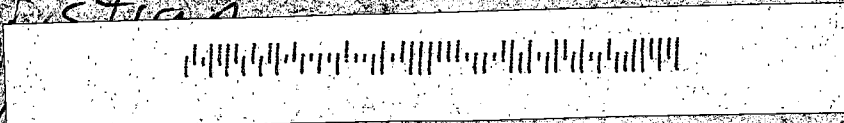
Gregory T. Christian/Appellant
15 Gallivan St.
Greenville, SC 29609
(864) 232-9966
ted789@juno.com

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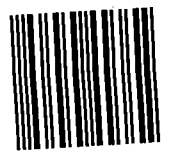
OCT 04 2018

SC Court of Appeals

G. T. Christian
15 Gallin
Greenville, SC 29609



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Clerk of the Court
South Carolina Court of Appeals
P.O. Box 11629
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