

J. GREGORY STUDEMMEYER

A Professional Corporation
Attorney at Law

1701 Richland Street | Post Office Box 12201
Columbia, South Carolina 29211-2201

J. Gregory Studemeyer
gesquire54@gmail.com

Ryan Studemeyer
ryanstudemeyer@gmail.com

March 11, 2019

The Honorable V. Claire Allen
Deputy Clerk
The South Carolina Court of Appeals
Post Office Box 11629
Columbia, South Carolina 29211

RECEIVED
MAR 14 2019
SC Court of Appeals

Re: Mathes Auto Sales v. Dixon Automotive
Appellate Case No. 2019-000297

Dear Ms. Allen:

I have received three letters from the Court and write to seek the Court's guidance.

I represented the Plaintiff in the lower court. H. Ronald Stanley, Esq. represented Defendants, Otis Morris, Jr. and Pro-Bowl Motors, Inc. Leland B. Greeley, Esq. represented Defendants, Gerald Scott Dixon, Michael Tryone Moore, and Dixon's Automotive, LLC.

Upon my return from a trip out of town on February 25, 2019, I found correspondence and notices of appeal from both Mr. Stanley and Mr. Greeley in my post office box. A copy of a letter from Mr. Greeley addressed to Ms. Kitchings marked "HAND DELIVERED" was dated February 21, 2019. Enclosed with a copy of that letter were copies of a notice of appeal dated February 21, 2019, certificate of service, Order On Post-Trial Motions filed January 28, 2019, and Order For Judgment filed on June 20, 2018.

I also found correspondence from Mr. Stanley with copies of a notice of appeal, proof of service, and Order On Post-Trial Motions, but not the Order For Judgment.

On February 26, 2019, I served notice of appeal (cross-appeal) upon both Mr. Stanley and Mr. Greeley and hand delivered the notice of appeal, proofs of service, copies of both orders, and the filing fee to the Court. Under these circumstances, I expected that Mr. Greeley's clients would be designated as primary appellants under Rule 206, SCACR.

On March 1, 2019, I received a copy of a letter to Mr. Greeley from the Court dated February 28, 2019. I think this is the normal form letter that I have seen in the past establishing an Appellate Case Number and changing the caption for the appeal. Mr. Stanley's name was not mentioned in that letter. Upon receipt of that letter, I called and left a message for the clerk assigned to this case to advise that my client and Mr. Stanley's clients had also filed notices of appeal.

On March 5, 2019, I received copies of two letters addressed to Mr. Greeley and me from the

Court dated March 1, 2019. One of these letters was nearly identical to the one dated February 28, 2019, addressed above. The other letter addressed consolidation of my appeal with the appeal filed by Mr. Greeley. Again, Mr. Stanley's name was not mentioned in either letter.

On Friday, I received a letter from Mr. Stanley with a condensed copy of a partial transcript of the proceedings dated March 6, 2018, a full year ago.

Although the South Carolina Appellate Court Rules seem simple, I sometimes find them difficult to follow. They remind me of what Arnold Palmer once said about golf. "Its a deceptively simple, yet endlessly complicated game."

Are Mr. Stanley's clients recognized by the Court as appellants? If they are, shouldn't the caption be amended again to reflect their names as Appellants/Respondents?

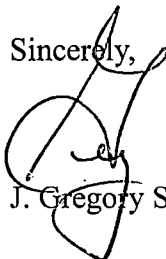
Since the notice of appeal filed on behalf of Mr. Stanley's clients refers only to the Order On Post-Trial Motions, if they are recognized by the Court as appellants at all, are they precluded from addressing the underlying Order For Judgment?

I have no way of knowing which notice of appeal was actually filed with the Court of Appeals first. If Mr. Greeley's notice of appeal was actually hand delivered on February 21, 2019, as indicated on a copy of the letter to Ms. Kitchings served upon me, then it appears that he was first to file and his clients should be designated as primary appellants. If Mr. Greeley's clients are designated as primary appellants, are they not responsible under Rule 206 for performing all duties required of the appellant under Rule 207 for ordering the transcript and Rule 210?

Regardless of which parties are designated as primary appellants, since Rule 207, SCACR requires the primary appellant to order a transcript within ten (10) days *after* the date of service of the notice of appeal, does the service of a one year old partial transcript suffice?

As of the date of this letter, I have not received copies of any correspondence with the court reporter. Nor have I agreed to ordering less than the entire transcript.

Thank you in advance for addressing these details.

Sincerely,

J. Gregory Studemeyer

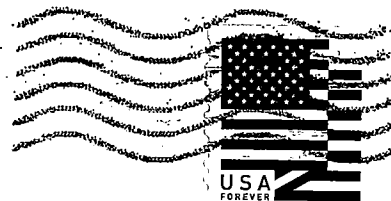
cc: H. Ronald Stanley, Esq.
Leland B. Greeley, Esq.
Mr. John Mathes

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