

89726

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM LEXINGTON COUNTY
Common Pleas Court
Alison Renee Lee, Presiding Judge

Case No. 2016-CP-32-01385

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MAY 03 2019
SC Court of Appeals

Richie D. Barnes

Respondent,

vs.

Appellate Case No. 2018-002157

Motion for Rehearing

James Reese,

Appellant.

COMESNOW the Appellant, James Reese, who now orders this court to grant in the favor of the Appellant a rehearing, in accordance with court rule 221(a), of this cause of action that was order to be dismissed by the presiding judge on the grounds of the Appellant's failure to provide proof of services to the appellant court of the specific request of production of the transcript from the lower court's stenographer Steven Lablanc of Lexington County. The supporting grounds for this rehearing are as follows;

1. The Appellant sent request for transcript on the 20th of February 2019, which was post marked on the 25th of February 2019 and received by Steven LaBlanc on the 26th of February 2019. (See evidence A)
2. Several correspondence or attempts to contact was sent via email to sleblanc@sccourts.org from the Appellants email sharon12357@gmail.com regarding such request of the lower court's

transcript and providing proof of the form of payment used (cashiers check #4218016) for the amount of \$2,847.50 sent via Certified Mail USPS on 15th March 2019. (See evidence B)

3. Evidence of the cashed 'cashier check' for the amount of \$2,847.50 dated by Palmetto Citizen's Bank signed by Steven LaBlanc. (See evidence C)

4. Evidence of the Appellant's second request attempt made on the 15th of March 2019 delivered by USPS. (See evidence D)

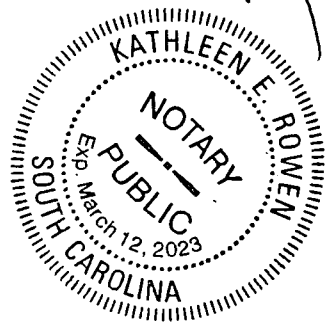
The above mentioned points are substantial grounds that will aid this court to grant and honor in good faith, the protection of the Appellants due process and motion for rehearing due to the fact of error or mistake of the presiding judge dismissing this matter for failure to provide proof of services which this court has been given copies and placed on notice of the Appellants multiple attempts to request the lower courts transcript from Steven Lablanc.

(s) James Reese
James Reese, All Rights Reserved
Without Prejudice

Date: May 01, 2019

(X) K. [Signature]
Private Witness

(X) Kathleen E. Rowmen
Private Witness



Mail body: Proof of Service

Proof of Service

To: Steven E. LeBlanc R.P.R.
Circuit Court Reporter
PO Box 184
Lexington SC 29071

From: James S. Reese
717 Cindy Drive
Columbia SC 29203

Ref: Richie Barnes vs. James Reese, Case # 2016-CP-32-01385, A jury trial held before The Honorable Judge Allison Lee. On November 5th thru 7th, 2018 at Lexington County Courthouse, Lexington SC.

Mr. Steven LeBlanc, The certified funds of \$2,847.50 was sent by US mail on March 15th. Tracking # 7018 2290 0001 5715 7988. This is your proof of service letter. Also enclosed is a copy of a certified mailed receipt dated March 15, 2019 sent to your P.O. Box 184, Lexington SC 29071

CC: Court of Appeals

CC: Court Administrator

CC: Leonard Jordan

Thank You
James Reese



Sent from my Verizon, Samsung Galaxy Tablet

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<input type="checkbox"/> Return Receipt (electronic)	\$0.00	
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00	
<input type="checkbox"/> Adult Signature Required	\$0.00	
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Postage	\$1.15	
Total Postage and Fees	\$7.45	

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 Letter
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 (LEXINGTON, SC 29071)
 (Weight: 0 Lb 0.40 Oz)
 (Estimated Delivery Date)
 (Monday 03/18/2019)

Certified	1	\$3.50
(®USPS Certified Mail®)		
(70182290000157157988)		
Return Receipt	1	\$2.80
(®USPS Return Receipt®)		
(9590940247659344886539)		
Affixed Postage	1	(\$0.55)
(Affixed Amount: \$0.55)		
Copy Machine		\$1.00
Rev		
Total		\$9.37

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Total Postage and Fees	\$7.45	

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 Jordan Law Firm ATN: Leonard Jordan
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 211 Veterans Road Ste D
 City, State, ZIP+4®
 Columbia, SC 29209

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Debit Card Remit'd \$9.37
 (Card Name: VISA)
 (Account #: XXXXXXXXXX5855)
 (Approval #:)
 (Transaction #: 490)
 (Receipt #: 016494)
 (Debit Card Purchase: \$9.37)
 (Cash Back: \$0.00)
 (AID: A000000980840 Chip)
 (AL: US DEBIT)
 (PIN: Verified)

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Mail body: Fwd: RE: Richie Barnes vs. James Reese 2016CP32-01385 11/5 thru 11/7/281 Lexington Judge Lee

Sent from my Verizon, Samsung Galaxy Tablet

----- Original message -----

From: sharon12357 <sharon12357@gmail.com>

Date: 3/7/19 5:31 PM (GMT-05:00)

To: sharon12357@gmail.com

Subject: RE: Richie Barnes vs. James Reese 2016CP32-01385 11/5 thru 11/7/281 Lexington Judge Lee

March 7, 2019

From James Reese

717 Cindy Drive

Columbia South Carolina 29203

To: Steven E. LeBlanc, R.P.R.

Circuit Court Reporter

Eleventh Judicial Circuit

P.O. Box 184

Lexington, South Carolina 29071

sleblanc@sccourts.org

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Ref: Richie Barnes vs. James Reese Case number 2016-CP-32-01385, A jury trial held before The honorable Judge Allison Lee, on November 5th thru 7th, 2018 at Lexington County Courthouse, Lexington South Carolina.

I have received your reply to my request for ordering the court transcript dated February 20, 2019, Postmarked February 25, 2019, and received on February 26, 2019 by USPS priority mail. You quoted me a cost of \$4.25 per page, estimating 670 pages in length. I do understand the cost may be \$2847.50 to cover the cost of the transcript. I also understand if there are less than 670 pages. I will receive a refund of unused funds along with the full transcript of record, including closing arguments. I would like to request a more affordable rate if possible. Regardless I do want the transcript recording in its entirety. Please forward me full instructions on how and where to send funds for the transcript.

Please call me ASAP 803-760-4387 or 803-609-2629

I am forwarding this to you by email and thru US mail.

P.O. Box 184 Lexington, SC 29071

sleblanc@sccourts.org

Thank you

James Reese

Email: sharon12357@gmail.com

CC: Court of Appeals

CC: Court Administrator

CC: Leonard Jordan

Sent from my Verizon, Samsung Galaxy Tablet

Mail body: Payment for court recording

Mr. Steven E. LeBlanc R.P.R.
Circuit Court Reporter
P.O. Box 184
Lexington S.C. 29071

Mr. LeBlanc, here I, James Reese have enclosed the funds \$2,847.50 for the entire transcript recording of case subject: Richie Barnes vs James Reese case number 2016-CP- 32-01385. DATED 11/5 thru 11/7 2018 Lexington SC. Thank you for your prompt attention. 803-760-4377 .
OR 717 Cindy dr. Columbia SC 29203.

CC: Court of Appeals
CC: Court Administrator
CC: Leonard Jordan jr

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2539

NO. 4218016

Date
13 MAR 19

Notice to the purchaser: If a 'Cashier's Check' is lost, misplaced, destroyed or stolen, a mandatory 90-day waiting period and a sworn & signed statement are required before a replacement can be issued.

Ref: 2016-CP-32-0185 11/5/18-11/7/18

TO THE ORDER OF STEVEN E. LEBLANC R.P.R. *****

PAY TWO THOUSAND EIGHT HUNDRED FORTY SEVEN DOLLARS AND 50 CENTS

CHECK AMOUNT
\$2,847.50

JAMES S REESE
717 CINDY DR
COLUMBIA SC 29203

Nicholas Wodogaya
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CHECK AMOUNT
\$2,847.50

**JAMES S REESE
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\$2,847.50

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NO. 4218016

Account Detail	Account #	Amount	Balance Available
FROM Prime Share / Savings	*****S1	2847.50	N/A N/A

Payee STEVEN E. LEBLANC R.P.R

Ref: 2016-CP-32-0185 11/5/18-11/7/18

JAMES S REESE
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CASHIER'S CHECK NON-NEGOTIABLE Chk 4218016 13 MAR 19 16:38 Br 2-767 Amt 2847.50

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