

THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

Case No. 2019-001032

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APPEAL FROM ORANGEBURG COUNTY  
Court of Common Pleas

Edgar W. Dickson, Circuit Court Judge  
Case No.: 2018-CP-38-00766

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**RECEIVED**  
JUL 24 2019  
SC Court of Appeals

Caleb Snow and Mary Snow, as P.R. of the Estate of Chequita Snow  
Burgess, deceased.....Plaintiffs,

v.

James Burgess, Michael Scott and Heike Scott, .....Defendants,

v.

Michael Scott and Heike Scott ..... Third-Party Plaintiffs are the  
Appellants,

v.

Eugene Rhinehart,.....Third-Party Defendant, Respondent.


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**AGREEMENT TO PROCEED WITHOUT A TRANSCRIPT**

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Counsel for the Appellants and Respondent hereby agree that the appeal will proceed without a transcript of the motion hearing. Attached hereto is copy of the exchange between counsel confirming the agreement.

**RILEY, POPE & LANEY, LLC**

  
DAMON C. WLODARCZYK

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Counsel for the Appellants

Columbia, South Carolina  
July 24, 2019

**Damon Wlodarczyk**

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**From:** J. R. Murphy <jrmurphy@murphygrantland.com>  
**Sent:** Tuesday, July 23, 2019 3:34 PM  
**To:** Damon Wlodarczyk; Anthony W Livoti  
**Cc:** Steve Cook; Michelle Kelley  
**Subject:** RE: Snow v. Scott v. Rhinehart

I agree-there is no record per se other than the filings with the court.

JR



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SC Court of Appeals

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**From:** Damon Wlodarczyk <damonw@rplfirm.com>  
**Sent:** Tuesday, July 23, 2019 8:59 AM  
**To:** J. R. Murphy <jrmurphy@murphygrantland.com>; Anthony W Livoti <awlivoti@murphygrantland.com>  
**Cc:** Steve Cook <scook@kcw-law.com>; Michelle Kelley <MKelley@RichardsonPlowden.com>  
**Subject:** Snow v. Scott v. Rhinehart

All-

The court of appeals called my office and said there needs to be an agreement as to whether the appeal needs a transcript. I did not order one as it was a 12(b) motion and my thought is the only things to be reviewed on appeal is the pleadings, motions, memos and order, since the transcript was just arguments.

Let me know if you agree and we can proceed without a transcript. If you think a copy of the transcript is needed, let me know and I'll order. Thanks

Damon

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Appellants,

v.

Eugene Rhinehart,.....Third-Party Defendant, Respondent.

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**CERTIFICATE OF SERVICE**

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This is to certify that I have this day caused to be served upon the persons  
named below copies of the **AGREEMENT TO PROCEED WITHOUT A  
TRANSCRIPT** via United States mail, first-class postage prepaid, to the following:

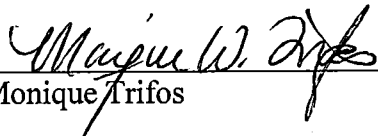
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Attorney for Eugene Rhinehart

**RILEY, POPE & LANEY, LLC**

  
\_\_\_\_\_  
Monique Trifos

July 24, 2019

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—  
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LANEY  
— LAW —

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July 24, 2019

**HAND DELIVERED**

The Honorable Jenny Abbott Kitchings  
Clerk of Court  
South Carolina Court of Appeals  
1220 Senate Street  
Columbia, South Carolina 29201

**RECEIVED**  
JUL 24 2019  
SC Court of Appeals

Re: Caleb Snow and Mary Snow, as Personal Representatives for the Estate of Chequita Snow Burgess, Deceased v. James Burgess and Michael Scott and Heike Scott,  
v.  
Michael Scott and Heike Scott, Third Party Plaintiffs  
v.  
Eugene Rhinehart, Third Party Defendant.  
Appeal No.: 2019-001032  
File No.: 5167.01118

Dear Ms. Kitchings:

Please find enclosed for filing the original and one (1) copy of Agreement to Proceed Without Transcript with proof of service attached. Please return the filed copy with my courier.

Sincerely,

*Damon C. Wlodarczyk by WTruf*  
Damon C. Wlodarczyk

DCW/mwt

Enclosures

cc: Counsel of Record