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THE STATE OF SOUTH CAROLINA
In the Court of Appeals

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AUG 30 2019

SC Court of Appeals

APPEAL FROM LEXINGTON COUNTY
Court of Common Pleas

R. Keith Kelly, Circuit Court Judge

Case No. 2018-CP-32-1854

Twin Bridge Logistics, LLC n/k/a Twin Bridge Transport, LLC,Appellant,

v.

Fisher Tank Company, f/k/a Fisher Tank Company, Inc.,Respondent.

**MOTION TO PROVIDE APPELLANT'S
LETTER REQUESTING 56(c) HEARING
TRANSCRIPT OUT OF TIME**

The Appellant, Twin Bridge Logistics, LLC, n/k/a Twin Bridge Transport, LLC, as represented by undersigned counsel, hereby respectfully moves this Court for permission to provide the letter requesting the Rule 56(c) hearing transcript out of time. This Motion is made on the grounds that, due to a miscommunication with the Court Reporter from the Lexington County Court of Common Pleas; Appellant was unable to provide the Court of Appeals with the letter requesting the transcript from the Rule 56(c) hearing held on February 20, 2019 by the established deadline. It was brought to our attention on August 22, 2019 that the Court of Appeals had not yet received the letter requesting the transcript from the Rule 56(c) hearing and Appellant was out of time to provide that transcript. After reviewing the correspondence sent to Mr. Steve LeBlanc, Court Reporter in the Court of Common Pleas in Lexington County, it is evident that Appellant

intended to also send copies of the letter to four different parties, including counsel for Appellant, counsel for Respondent, Karama T. Bailey, Deputy Director of Court Reporting and Court Interpreting for the South Carolina Office of Court Administration, and Jenny Abbott Kitchings, Clerk of Court for the South Carolina Court of Appeals. Appellant is unsure how the miscommunication occurred, but the Court of Appeals was never sent a copy of the letter sent to Mr. LeBlanc requesting the transcript from the Rule 56(c) hearing.

The failure to provide the Court of Appeals with a copy of the letter requesting the transcript for the Rule 56(c) hearing by the established deadline was inadvertent and due to circumstances out of Appellants control. This request is not intended for purposes of delay and there would be no prejudice to the parties in this matter by allowing Appellant to provide the Court with a copy of the letter requesting the Rule 56(c) hearing transcript out of time. Further, Respondent, represented by undersigned counsel, has agreed to consent to this motion out of time being granted by the Court.

WHEREFORE, Appellant respectfully prays that this Court allow the Appellant to provide the Court with a copy of the letter requesting the Rule 56(c) hearing transcript out of time.

Respectfully Submitted,

By: _____



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West Columbia, South Carolina
August 30, 2019

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William H. Edwards
Stanley L. Myers
Jane H. Downey*
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Melissa K. Moore
William B. Fortino
Ralph Nichols Riley, Jr.
Amber Cary Fulmer
Lester McGill Bell, Jr.
Bryan C. Letteer
Edward Hood Dawson

Robert D. Hazel
RETIRED
Billy C. Coleman
RETIRED
C. David Sawyer, Jr.
RETIRED

July 16, 2019

Steven LeBlanc
Lexington County Courthouse
139 East Main Street
Columbia, South Carolina 29072

RE: Twin Bridge Logistics, LLC, n/k/a Twin Bridge Transport, LLC, vs. Fisher Tank
Company f/k/a Fisher Tank Company, Inc.
C/A: 2014-CP-32-02453

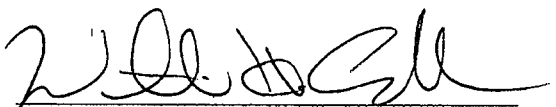
Dear Mr. LeBlanc:

Please provide us with transcript from the Rule 56(c) hearing held on February 20, 2019, the hearing determining the Defendant's Motion for Partial Summary Judgment before Judge Kelly in the above-reference case.

If you have any questions, please do not hesitate to call.

With kindest regards,

Moore Taylor Law Firm


William H. Edwards

WHE/ldt

Cc: W. Joseph Moore, Jr., Esquire
Karama T. Bailey, Deputy Director of Court Reporting and Court Interpreting, South
Carolina Office of Court Administration
Jenny Abbott Kitchings, Clerk of Court, Court of Appeals



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VIA HAND DELIVERY

Jenny Abbott Kitchings

Clerk of Court

The South Carolina Court of Appeals

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