

BICE LAW LLC

North and South Carolina Law Firm

October 2, 2019

Via U.S. Mail

Via Fax (803-734-1839)

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

RECEIVED

OCT 04 2019

SC Court of Appeals

RE: Michele M. Messer v. William J. Muse et al
Appellate Case No.: 2019-001 199

Dear Ms. Kitchings:

Per our conversation yesterday, to date, our office has not received the transcript from a May 29, 2019 Motion for Summary Judgment hearing. Below is a timeline of correspondence regarding the transcript:

- July 16, 2019, counsel for Appellant sent a letter to Hattie O. Gordon ordering the transcript from a Motion for Summary Judgment hearing on May 29, 2019 (Letter attached as Exhibit 1).
- August 1, 2019, counsel for Appellant received an email from Hattie O. Gordon stating her transcript queue was backed up and she was transferring our request to another court reporter for completion (Email attached as Exhibit 2).
- August 2, 2019, counsel for Appellant emailed Hattie O. Gordon asking if she will file a Request for Extension if we don't have the transcript by September 14, 2019 (Email attached as Exhibit 3). Counsel for Appellant did not receive a response.
- September 16, 2019, counsel for Appellant emailed Hattie O. Gordon asking if she filed an extension (Email attached as Exhibit 4). Counsel for Appellant did not receive a response.
- September 16, 2019, counsel for Appellant called the South Carolina Office of Court Administration and left a voice mail.
- October 2, 2019, counsel for Appellant spoke with Desiree Allen, Manager, Court Reporting and Court Interpreters at the South Carolina Office of Court Administration and she was going to follow up with Hattie O. Gordon. Ms. Allen asked our office to forward our email chain with Hattie O. Gordon to her (Email attached as Exhibit 5).

Please let us know if there is anything else you need from us at this time. Thank you.

Sincerely,

s/ Justin Bice
Justin Bice
Bice Law, LLC
406 Tom Hall Street
Fort Mill, SC 29715
Phone/Fax: 803-639-8777
Attorney for Appellant

cc: J. Boone Aiken, III, Esq. (Via E-Mail)
S.C. Court Administration (Via Fax: 803-734-1821)

BICE LAW LLC
North and South Carolina Law Firm

July 16, 2019

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SC Court of Appeals

U.S. Mail and E-Mail

Hattie O. Gordon
Resident Circuit Court Reporters
Fourth Judicial Circuit
Post Office Box 597
Wallace, South Carolina 29596

RE: **William J. Muse, individually and as President of NEM, Inc.; NEM, Inc. d/b/a The Sandy Monkey; Sharon Cumbie; and Kathryn Montorio, Respondents, v. Michele M. Messer, Appellant, Case No.: 2017-CP-26-03062**

Dear Ms. Gordon

On May 29, 2019, a Motion for Summary Judgment in the above case was heard before the Honorable Benjamin H. Culbertson, Circuit Court Judge, in Horry County. My records indicate that you were the court reporter for this case.

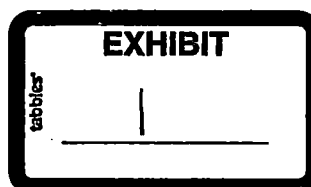
On June 17, 2019, our office requested via e-mail you provide us with a transcript of the entire court proceedings from the May 29, 2019 Motion for Summary Judgment hearing. Please accept this as our formal request in writing.

I agree to pay the per page charge for this transcript as provided by Rule 607, SCACR.

Sincerely,

s/ Justin Bice
Justin Bice
Bice Law, LLC
406 Tom Hall Street
Fort Mill, SC 29715
Phone/Fax: 803-639-8777
Attorney for Appellant

cc: J. Boone Aiken, III, Esq.
S.C. Court Administration
Clerk, Court of Appeals





Morgan Peters <morgan@bicelaw.us>

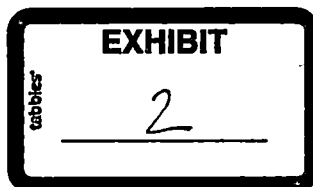
**MSJ hearing from 5/29/19 - Messer v. Muse - Case No.:
2017CP2603062**

Gordon, Hattie O. <HGordon@sccourts.org>
To: Morgan Peters <morgan@bicelaw.us>

Thu, Aug 1, 2019 at 7:13 PM

good evening. my transcript queue is backed up and i am transferring your request to another court reporter for completion. i will also file an extension reequest if required. i apologize for the delay.

Hattie O. Gordon
Resident Circuit Court Reporter
Fourth Judicial Circuit
Post Office Box 597
Wallace, South Carolina 29596-0597





Morgan Peters <morgan@bicelaw.us>

MSJ hearing from 5/29/19 - Messer v. Muse - Case No.: 2017CP2603062

Morgan Peters <morgan@bicelaw.us>
To: "Gordon, Hattie O." <HGordon@sccourts.org>

Fri, Aug 2, 2019 at 9:42 AM

Thank you for the update. The rules stated you have 60 days from the date of our request, which is technically September 14. I will task myself to follow up with you two weeks before the deadline and if its not done, you can file a Request for Extension.

Does that sound good to you?



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Morgan Peters
[Quoted text hidden]
www.bicelaw.us

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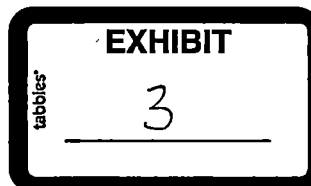
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SC Court of Appeals

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Morgan Peters <morgan@bicelaw.us>

MSJ hearing from 5/29/19 - Messer v. Muse - Case No.: 2017CP2603062

Morgan Peters <morgan@bicelaw.us>
To: "Gordon, Hattie O." <HGordon@sccourts.org>

Mon, Sep 16, 2019 at 11:39 AM

Hey Hattie,

Did you file an extension on this one?

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SC Court of Appeals



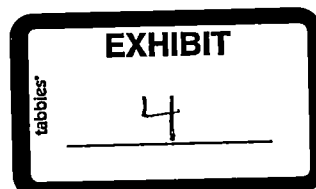
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Morgan Peters <morgan@bicelaw.us>

MSJ hearing from 5/29/19 - Messer v. Muse - Case No.: 2017CP2603062

Morgan Peters <morgan@bicelaw.us>
To: dallen@sccourts.org

Wed, Oct 2, 2019 at 9:39 AM

Ms. Allen,

Below is the email chain I have with Hattie regarding the transcript.

Thank you.

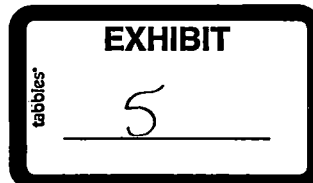
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OCT 04 2019
SC Court of Appeals

----- Forwarded message -----

From: **Morgan Peters** <morgan@bicelaw.us>
Date: Mon, Sep 16, 2019 at 11:39 AM
Subject: Re: MSJ hearing from 5/29/19 - Messer v. Muse - Case No.: 2017CP2603062
To: Gordon, Hattie O. <HGordon@sccourts.org>

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[Quoted text hidden]



Bice Law LLC
406 Tom Hall Street
Fort Mill, SC 29715
(803) 639-8777

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SC Court of Appeals



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