

## Sineath, Christina

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**From:** Falin, Stormy  
**Sent:** Wednesday, January 8, 2020 9:30 AM  
**To:** Sineath, Christina  
**Cc:** Carter, Elizabeth A.  
**Subject:** FW: State v. Aaron McKenzie Capers;  
**Attachments:** 5.6.19 filed copy of pre-trial transcript.pdf; ATT00001.htm; 5.7.19 response from Amanda DEPOSIT SC V AARON CAPERS.pdf; ATT00002.htm

**From:** Kitchings, Jenny  
**Sent:** Wednesday, January 8, 2020 9:24 AM  
**To:** Carter, Elizabeth A. <ecarter@sccourts.org>; Falin, Stormy <sfalin@sccourts.org>  
**Subject:** Fwd: State v. Aaron McKenzie Capers;

Sent from my iPad

Begin forwarded message:

**From:** TDSLAW <tdslaw@shurlinglaw.com>  
**Date:** January 6, 2020 at 1:55:54 PM EST  
**To:** <dallen@sccourts.org>, 'Sharon Capers' <caperslaw@yahoo.com>, "'Dennis, R. Markley Jr. Law Clerk (Nicholas Uricchio)'" <MDennisLC@sccourts.org>, "'Dennis, R. Markley Jr.'" <MDennisJ@sccourts.org>, "'Dennis, R. Markley Jr. Secretary (Linda J. Droze)'" <MDennisSC@sccourts.org>, 'William Blicht' <wblitch@scag.gov>  
**Cc:** "'Anne M. Williams'" <williamsa@scsolicitor9.org>, <jkitchings@sccourts.org>  
**Subject:** FW: State v. Aaron McKenzie Capers;

\*\*\* EXTERNAL EMAIL: This email originated from outside the organization. Please exercise caution before clicking any links or opening attachments. \*\*\*

Ms. Allen,

**Thank you very much for discussing this transcript request with me earlier. I am attaching a clocked copy of my transcript request and a copy of Ms. Haffenden's letter to me with the balance due after the deposit I sent with the transcript request. As you can see from my email to her this morning below, I paid that balance back in June, 2019 and the check cleared my account on July 16, 2019. I have done a search of my emails from, and to, this Court Reporter and the last item I have is an email from her in very early May, 2019, advising me that she had received to transcript request and would be in touch with me soon concerning the total amount due. Her letter proving that**

information is attached and is dated May 4, 2019. I do not know when I actually received that letter and am somewhat confused by the fact that my check was not mail until June 24, 2019. That is highly unusual for my firm. As most court reporters can attest, I am usually very prompt in paying for transcripts. It makes me wonder when I actually received her letter, but unfortunately the paralegal I was dealing with at the time did not record that information.

I am very sorry I did not catch this problem sooner. I should have and should have notified the Court of Appeals. Since she responded quickly to the request and gave me the balance due figure so fast, I had no reason to believe the transcript was not being sent to me shortly thereafter. Unfortunately, the paralegal who was working for me at the time apparently did not put the due date on the calendar. As a rule, my paralegal puts the date the transcript is due on the office calendar and, if it does not arrive by the due date, they prepare a letter for my signature notifying whichever appellate court is involved that the transcript has not been received. I apologize that the problem with this transcript was not brought to everyone's attention much sooner. I am glad to hear that you are still in touch with this Court Reporter. It would be most helpful if she could email me a copy of this transcript if she has completed it. The hearing on the Post-Trial Motion for a New Trial has now been put off until 3:00 PM, TODAY. If she could possibly email me a copy of this transcript it would be greatly appreciated. I believe that I ordered both a hard copy and an electronic copy of this short transcript anyway. Once again, I have no record of having received either a digital copy or a hard copy. Thank you very much for your assistance.

*Tara*

**Tara Dawn Shurling**  
**Attorney at Law**

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**From:** TDSLAW [<mailto:tdslaw@shurlinglaw.com>]  
**Sent:** Monday, January 06, 2020 12:37 PM  
**To:** 'ahaffenden@sccourts.org'; 'jkitchings@sccourts.org'  
**Cc:** 'William Blich'; 'ccollins@scac.gov'; 'Sharon Capers'  
**Subject:** State v. Aaron McKenzie Capers;

Amanda,

There is a hearing on the post-trial, Motion for a New Trial scheduled for today. My records show that I Ordered a transcript of the Pre-trial Motion hearing held in this case on February 8, 2019, on April 29, 2019 and sent a \$50.00 deposit along with the request. I received a letter from you dated May 4, 2019 giving me

the total due. Regrettably, the paralegal did not enter the date that correspondence was received in my database as she was supposed to do. I know from my records that I sent you the check for the balance due of \$112.00 on June 24, 2019. When I looked for it this morning to discuss those motions with trial counsel, Sharon Capers, it was not in the file. My records show that the \$112.00 checked cleared my account on July 16, 2019. The paralegal who was supposed to be tracking this request is no longer with me, so I have no idea what went wrong here. I have searched my file and do not see any indication that I ever received this transcript. I am getting ready to go search old emails because I do not have a hard copy in the file, nor was one scanned and saved to the file. That is the normal procedure in my office. If we get a hard copy in the mail, it is scanned and saved. That paralegal did not work out and is no longer working here, so that may explain the problem. Can you please check and let me know ASAP if you sent that record out, and if so whether a hardcopy was mailed? I appreciate the trouble this causes and I am so sorry, but I obviously need to straighten this out immediately. Thank you.

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