

Sineath, Christina

From: Falin, Stormy
Sent: Wednesday, January 8, 2020 11:25 AM
To: Sineath, Christina
Cc: Carter, Elizabeth A.
Subject: FW: State v. Aaron McKenzie Capers;

From: Kitchings, Jenny
Sent: Wednesday, January 8, 2020 11:05 AM
To: Carter, Elizabeth A. <ecarter@sccourts.org>; Falin, Stormy <sfalin@sccourts.org>
Subject: Fwd: State v. Aaron McKenzie Capers;

Jenny Abbott Kitchings, Clerk of Court
South Carolina Court of Appeals

Begin forwarded message:

From: "Allen, Desiree" <DAllen@sccourts.org>
Date: January 8, 2020 at 8:47:14 AM EST
To: TDSLAW <tdslaw@shurlinglaw.com>, 'Sharon Capers' <caperslaw@yahoo.com>, "Dennis, R. Markley Jr. Law Clerk (Kawohikukapulani Myers)" <MDennisLC@sccourts.org>, "Dennis, R. Markley Jr." <MDennisJ@sccourts.org>, 'William Blitch' <wblitch@scag.gov>
Cc: "'Anne M. Williams'" <williamsa@scsolicitor9.org>, "Kitchings, Jenny" <jkitchings@sccourts.org>
Subject: RE: State v. Aaron McKenzie Capers;

Ms. Shurling, I contacted Ms. Haffenden, who provided the following information. The check from you cleared on the 16th of July. Ms. Haffenden prepared the transcript, and emailed it on the 28th of August to your office. Please check your emails and let me know if I should ask her to send it again. Thank you.

From: TDSLAW <tdslaw@shurlinglaw.com>
Sent: Monday, January 6, 2020 1:56 PM
To: Allen, Desiree <DAllen@sccourts.org>; 'Sharon Capers' <caperslaw@yahoo.com>; Dennis, R. Markley Jr. Law Clerk (Kawohikukapulani Myers) <MDennisLC@sccourts.org>; Dennis, R. Markley Jr. <MDennisJ@sccourts.org>; 'Dennis, R. Markley Jr. Secretary (Linda J. Droze)' <MDennisSC@sccourts.org>; 'William Blitch' <wblitch@scag.gov>
Cc: 'Anne M. Williams' <williamsa@scsolicitor9.org>; Kitchings, Jenny <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

From: TDSLAW [<mailto:tdslaw@shurlinglaw.com>]
Sent: Monday, January 06, 2020 12:37 PM
To: 'ahaffenden@sccourts.org'; 'jkitchings@sccourts.org'
Cc: 'William Blitch'; '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.

Law Office of Tara Dawn Shurling, P. A.
3614 Landmark Drive, Suite A
Columbia, SC 29204

(803) 738-8622
(803) 738-1600 Fax

AMANDA K. HAFFENDEN, RPR, CRR
P.O. Box 424
Summerville, SC 29484
ahaffenden@sccourts.org

May 4, 2019

Tara Dawn Shurling, PA
3614 Landmark Drive, Suite A
Columbia, SC 29204

IN RE: State of SC v. Aaron Capers

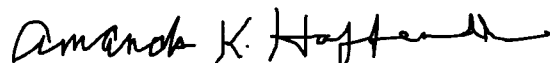
Dear Ms. Shurling:

I hereby acknowledge receipt of your request for transcript dated April 29, 2019 in the above-captioned case held in front of Judge Dennis on February 8, 2019. I have reviewed my records and estimate that your transcript will be 28 pages. Based on the current rate of \$4.25 per page, the cost will be \$162, which includes Keyword Indexing and email delivery. I have received your \$50 deposit, so that brings the amount to \$112. Under our rules, I have 60 days in which to complete the transcript.

Upon receipt of a certified check or money order (no personal checks, please, but a law firm check is acceptable) for \$112, the 60 days will begin. If I have underestimated the number of pages, you will be notified prior to delivery of the transcript of the balance due. If I have over estimated the number of pages, you will be refunded the overpayment.

In the event I need an extension of time to complete the transcript, I will request an extension from Court Administration. You will be notified if the extension is granted.

Sincerely,



Amanda K. Haffenden, RPR, CRR

RECEIVED
 MAY 01 2019
 SCCOURTS

Transcript Request Form

Pursuant to Rule 207 and 607 of the South Carolina Appellate Court Rules, the transcribed paper copy is the official record of court proceedings. You may request a transcript by completing this form and emailing it to the Court Reporter and to South Carolina Court Administration at transcripts@sccourts.org. Click [here](#) for instructions on how to find the court reporter's email and mailing addresses. Once the court reporter receives your request, it will be processed pursuant to Rule 207 and 607 of the SCACR. Rule 607(h) governs the fees for transcripts, which are not provided for free or at reduced rates to **any** party. Please send by mail a money order or certified bank check to the court reporter in order to obtain the transcript. Some court reporters may accept personal checks. Please check with the court reporter to see if this option is available. Once your request is received, you will receive a copy of this form with the bottom portion completed. Please promptly submit your payment in order for the transcript to be provided. If you need to cancel the transcript request for any reason, you are responsible for paying for the pages of the transcript that have already been completed at the time of the cancellation.

Requestor's Information			
Full Name Tara Dawn Shurling		Phone Number 803-738-8622	Email Address tdslaw@shurlinglaw.com
Mailing Address 3614 Landmark Drive, Suite A		City Columbia	State SC Zip Code 29204
Transcript Information			
Docket Number 2018-GS-08-00528, 529, 530, 531, 532		Case Caption (i.e. State v. John Doe or Smith v. Smith) Aaron McKenzie Capers v. State of South Carolina	
Date(s) of Proceeding February 8, 2019 (pre-trial motion)		Circuit <input checked="" type="checkbox"/> County Family <input type="checkbox"/> Berkeley	
Presiding Judge The Honorable Markley Dennis		Expedited Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
Court Reporter(s) Amanda K. Haffenden		Opposing Counsel Anne Millar Williams	

Requestor's Signature: Tara Dawn Shurling
(Typed name will serve as signature)

Date: April 29, 2019

Note: If you are ordering a transcript pursuant to Rule 207(a)(1), SCACR, you must contemporaneously furnish all parties, the Office of Court Administration, and the clerk of the appellate court with copies of all correspondence with the court reporter.

For Court Reporter Use Only			
Full Name _____		Date Received _____	Email Address _____
Notice of Estimate to Requestor Party Date: _____ Number of Pages: _____ Estimated Amount _____			
Mailing Address for Payment _____		City _____	State _____ Zip Code _____