



May 29, 2020

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The Honorable Jenny Abbott Kitchings, Clerk  
South Carolina Court of Appeals  
PO BOX 11629  
Columbia, SC 29211

Re: Terry Capone v. City of Columbia and Companion Third Party Administrator, LLC  
Appellate Case No.: 2020-000641 May 28, 2020 Deficiency Notice  
W.C.C. File Nos. 1322789, 1423445, 1503655, 1519702, 1719990

Dear Ms. Kitchings:

This is an official reply to notify your agency there is no deficiency and request your agency recall its May 28, 2020 Email/Notice of Deficiency from Clerk Claire Allen, which stated:

“Upon reviewing your petition for rehearing, the following deficiency has been noted under the South Carolina Appellate Court Rules (SCACR), and must be corrected with ten (10) days of the date of this letter

- The filing fee amount submitted is incorrect. The correct filing fee for a motion filed with this Court is \$50.00. We are returning your check (no. 1479 in the amount of \$500.00)”

The Notice of deficiency is invalid and the agency review was improper and incomplete, a completed thorough review that included reading the **Check No. 1479 in the amount of \$5000 clearly shows it was sent April 21, 2020** is clearly distinguishable in memo: “(2) Notice of Appeals denied motions to add parties and supplement the record Fraud upon the court” for an amount of \$250.00 each.

The May 7, 2020 Check No. 1481 in the amount of \$50.00 was cashed on or about May 27, 2020, is clearly distinguishable in memo: Petition rehearing Fee.

Thank you for your consideration.

With The Highest Regards,

Enclosures

Copy of check 1479

Copy of check 1481

Cc: Cynthia C Dooley & Carmelo B. Sammataro

Mr. Terry H. Capone  
Fire Battalion Chief-Retired  
130 Summerlea Drive  
Columbia, SC 29203  
803.622.6578  
Email: [tcapone@liberty.edu](mailto:tcapone@liberty.edu)



2020-000641

67-7873/2539 05 1481

TERRY H. CAPONE  
1289 WOODRIDGE DR 130 Emailed June  
COLUMBIA, SC 29203

DATE MAY 7, 2020

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2020-000641

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TERRY H. CAPONE  
4209 WOODRIDGE DR.  
COLUMBIA, SC 29203

1479

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# The South Carolina Court of Appeals

JENNY ABBOTT KITCHINGS  
CLERK

V. CLAIRE ALLEN  
CHIEF DEPUTY CLERK

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May 28, 2020

Terry Capone  
130 Summerlea Drive  
Columbia SC 29203

Re: Terry Capone v. City of Columbia (3)  
Appellate Case No. 2020-000641

Dear Mr. Capone:

Upon reviewing your petition for rehearing, the following deficiency has been noted under the South Carolina Appellate Court Rules (SCACR), and must be corrected within ten (10) days of the date of this letter:

- The filing fee amount submitted is incorrect. The correct filing fee for a motion filed with this Court is \$50.00. We are returning your check (no. 1479 in the amount of \$500.00).

Very truly yours,

*V. Claire Allen*

CLERK

cc: Cynthia C. Dooley, Esquire  
Carmelo Barone Sammataro, Esquire