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Jun 12 2020
SC Court of Appeals

OFFICE OF JOSEPH L. CORTOPASSI
ATTORNEY AT LAW

12 Farmfield Ave., Ste E
Charleston, SC 29407

Phone (843) 556-8000
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June 11, 2020

(Via email)
South Carolina Office of Court Administration
South Carolina Court of Appeals

Re: Patricia Clark v. Raymond McKay, Jr
Appellate Case No. 2020-000784

Dear Sir or Madam:

Having received the Court's letter of yesterday, June 10, 2020, and after looking back at my earlier sent letter of June 9, 2020, addressed to the Court, Appellant can see that the letter was improperly phrased and no doubt left an incorrect impression.

This is an appeal from an order of the Court ruling on a motion to dismiss entered with no evidentiary hearing. There was one non-evidentiary hearing on October 7, 2019, at which counsel were heard on their respective positions on the motion to dismiss. When Appellant wrote and sent my letter on June 9, 2020, it was under the assumption that no transcription of the hearing was available. The Form 4 submitted on October 7, 2019, blank a space where the court reporter would have otherwise been identified. (Exhibit A) Now, Appellant is questioning whether in it is possible to have a transcript prepared and are attempted to do so. (Exhibit B)

Considering the language of Rule 207(a)(1), Appellant's intention is of course to order any transcript that it is possible to obtain and has made strides to do so. Appellant does apologize for the awkward tone of the letter submitted on June 9, 2020 if it appeared dismissive. Given the circumstances, Appellant will file a motion with the court seeking an extension in which to obtain any transcript that may possibly be made of the October 7, 2019 hearing.

Respectfully,

/s/ Joseph L. Cortopassi

cc:

Susan Taylor Wall, Esquire **(Via AIS email)**
Henry Wilkins Frampton, IV, Esquire **(Via AIS email)**
John B. Gamble. Jr., Esquire **(Via email)**

EXHIBIT 4

ALL-STATE LEGAL®

FORM 4

STATE OF SOUTH CAROLINA
COUNTY OF RICHLAND
IN THE COURT OF COMMON PLEAS

JUDGMENT IN A CIVIL CASE

CASE NUMBER: 2019CP4002750

Julia Brazil
PLAINTIFF(S)

Annie Richardson
DEFENDANT(S)

Submitted by: _____

Attorney for : ☐ Plaintiff ☐ Defendant or ☐ Self-Represented Litigant

DISPOSITION TYPE (CHECK ONE)

☐ **JURY VERDICT**. This action came before the court for a trial by jury. The issues have been tried and a verdict rendered.

☒ **DECISION BY THE COURT**. This action came to trial or hearing before the court. The issues have been tried or heard and a decision rendered.

☐ **ACTION DISMISSED** (*CHECK REASON*): ☐ Rule 12(b), SCRCP; ☐ Rule 41(a), SCRCP (Vol. Nonsuit); ☐ Rule 43(k), SCRCP (Settled); ☐ Other _Dismissed without prejudice_____

☐ **ACTION STRICKEN** (*CHECK REASON*): ☐ Rule 40(j), SCRCP; ☐ Bankruptcy; ☐ Binding arbitration, subject to right to restore to confirm, vacate or modify arbitration award; ☐ Other _____

☐ **DISPOSITION OF APPEAL TO THE CIRCUIT COURT** (*CHECK APPLICABLE BOX*): ☐ Affirmed; ☐ Reversed; ☐ Remanded; ☐ Other _____

NOTE: ATTORNEYS ARE RESPONSIBLE FOR NOTIFYING LOWER COURT, TRIBUNAL, OR ADMINISTRATIVE AGENCY OF THE CIRCUIT COURT RULING IN THIS APPEAL.

IT IS ORDERED AND ADJUDGED: ☒ See attached order (formal order to follow) ☐ Statement of Judgment by the Court:

ORDER INFORMATION

This order ☐ ends ☒ does not end the case.

Additional Information for the Clerk : On 10/7/19 the motion to compel and the motion for summary judgement were continued (formal order for the motion for summary judgement is attached)

INFORMATION FOR THE PUBLIC INDEX

Complete this section below when the judgment affects title to real or personal property or if any amount should be enrolled. If there is no judgment information, indicate "N/A" in one of the boxes below.

Judgment in Favor of (List name(s) below)	Judgment Against (List name(s) below)	Judgment Amount To be Enrolled
		$
		$
		$

The judgment information above has been provided by the submitting party. Disputes concerning the amounts contained in this form may be addressed by way of motion pursuant to the SC Rules of Civil Procedure. Amounts to be computed such as interest or additional taxable costs not available at the time the form and final order are submitted to the judge may be provided to the clerk. **Note: Title abstractors and researchers should refer to the official court order for judgment details.**

Circuit Court Judge _____ **Judge Code** 2061 **Date** 10-7-19

For Clerk of Court Office Use Only

This judgment was entered on the _____ day of _____, 20 _____ and a copy mailed first class or placed in the appropriate attorney's box on this _____ day of _____, 20 _____ to attorneys of record or to parties (when appearing pro se) as follows:

ATTORNEY(S) FOR THE PLAINTIFF(S)

ATTORNEY(S) FOR THE DEFENDANT(S)

Court Reporter _____

Clerk of Court _____

SCRCP Form 4C (10/2011)

ONICALLY FILED - 2019 Oct 08 1:46 PM - RICHLAND - COMMON PLEAS - CASE#2019CP4002750

Joe Cortopassi

From: Tammy Davidson <tmd0924@bellsouth.net>
Sent: Thursday, June 11, 2020 5:11 PM
To: aberry@sccourts.org
Cc: swall@grsm.com; hframpton@grsm.com; transcripts@sccourts.org; Joseph Cortopassi; jgamble@gamlegal.com; siritchie@sccourts.org; dsmith@sccourts.org
Subject: Clark V. McKay 19-CP-40-02750
Attachments: TranscriptRequest.061120.pdf

Importance: High

Hello Ms. Berry,

I would like to confirm that you were the court reporter on October 7, 2019 in the above referenced case heard before Judge Manning with regards to the above referenced case. Please confirm that this is accurate and that there is in fact a transcript for this particular hearing. We are requesting this hearing transcript to the extent that one was generated per the attached request form. Thank you.

Tammy M. Davidson, Assistant
Office of Joseph L. Cortopassi
12 Farmfield Avenue, Suite E
Charleston, South Carolina 29407

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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 Joseph Cortopassi	**Phone Number** 843-556-8000	**Email Address** Joseph Cortopassi@bellsouth.net	
Mailing Address 12 Farmfield Ave. Suite E	**City** Charleston	**State** SC	**Zip Code** 29407

Transcript Information		
Docket Number 19-CP-40-02750	**Case Caption** (i.e. State v. John Doe or Smith v. Smith) Clark v Raymond McKay	
Date(s) of Proceeding 10-07-2019	**Circuit** ☒ **Family** ☐	**County** Richland
Presiding Judge L. Casey Manning	**Expedited** Yes ☒ No ☐	
Court Reporter(s) Angela Berry	**Opposing Counsel** Susan Wall, Henry Frampton	

Requestor's Signature: _____ **Date:** 6-11-2020
(Typed name will serve as signature)

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**