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August 31, 2020

RECEIVED

SEP 02 2020

SC Court of Appeals

VIA U.S. MAIL AND E-MAIL

The Honorable Jenny Abbott Kitchings
SC Court of Appeals Clerk of Court
1220 Senate Street
Columbia, South Carolina 29201

Re: Sterling Hills Homeowners' Association, Inc. vs. Elliot Hayes
Appellate Case No.: 2020-000056
Our File Number: 011144.00144

Dear Ms. Kitchings:

Please accept this additional follow-up letter on behalf of Respondent as part of our ongoing efforts to compel the Appellant to procure a transcript and/or copy the undersigned on Appellant's correspondence with the court reporter so that this appeal may proceed. On May 27, 2020, I submitted a Motion to Dismiss Appellant's Appeal for (1) failure to receive the transcript within the time allotted; and (2) failure to notify the appropriate personnel of the delay. The Court denied the Motion, but issued a letter dated July 9, 2020 providing that Appellant must serve and file their initial brief within thirty days. Appellant then informed the Court by letter dated July 13, 2020 that he believed the delay in receiving the transcript was due to the fact that he was unaware of where the court reporter, Thelma Salters, was employed at the time.

I took it upon myself to conduct a very brief online search and easily found Ms. Salters to be listed on the SCCourts webpage for family court reporters. In a good-faith effort to help avoid any further unreasonable delay, I sent a letter dated July 16, 2020 to the Court and Appellant providing the URL, email address, and mailing address for Ms. Salters, and expressed my hope the transcript issue would then be resolved expeditiously.

As of August 25, 2020, the undersigned had still not received any evidence of correspondence between Appellant and Ms. Salters to procure the transcript. On August 25, 2020, the undersigned emailed Counsel for Appellant asking whether a letter had been sent to the court reporter since the undersigned provided her address. Counsel for Appellant informed the undersigned that Ms. Salters said that she had sent the transcript, but it has not arrived. Still on August 25, 2020, the undersigned inquired as to when those communications had taken place, and asked that the undersigned be copied on those communications. There was no response to this inquiry, and on August 28, 2020, the undersigned again asked for the correspondence with the court reporter to no response.

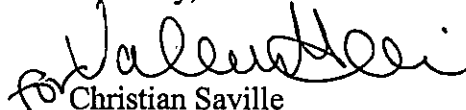
Pursuant to Rule 207(a)(1), SCACR, Appellant shall contemporaneously furnish all parties, the Office of Court Administration, and the clerk of the appellate court with copies of all correspondence with the court reporter. The delays in procuring this transcript and lack of communication regarding the same are documented in Respondent's Motion to Dismiss Appeal. While the undersigned has every confidence in Counsel for Appellant's representations, Respondent has still not been provided *any* correspondence between Appellant and the court reporter since the initial notice of appeal in January 2020.

Therefore, I respectfully request this Court set forth some sort of time by which Appellant must provide the correspondence between Appellant and Ms. Salters, in accordance with Rule 207, SCACR. Respondent feels this is necessary to ensure this appeal proceeds without further unreasonable delay, as the transcript delivery was already month overdue, without notification, when Respondent filed its Motion to Dismiss on May 27, 2020, and we still have no record of correspondence with the court reporter and are still left to wonder as to the precise status of the transcript.

While I already undertook what I understand to be Appellant's task in locating the court reporter's publicly available contact information from the SCCourts website, I also understand it to be Appellant's role rather than Respondent's to communicate with the court reporter to obtain the transcript. I do not feel it would be appropriate for my client to be forced to incur fees for me to fulfill Appellant's role of ordering a transcript from the court reporter. Accordingly, I respectfully request the Court set forth a firm deadline for Appellant to provide its correspondence with the court reporter and also a firm deadline for the obtainment of the transcript.

Thank you very much for your consideration and assistance.

Sincerely,

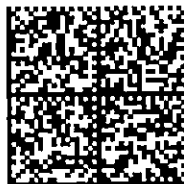

for Christian Saville

cc: Sterling Hills Homeowners' Association, Inc. (w/enclosures, via email)
Andrew S. Radeker, Esq. (w/enclosures, via email and U.S. mail)



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