

**THE STATE OF SOUTH CAROLINA
In The Court of Appeals**

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Jan 29 2021

**APPEAL FROM BERKELEY COUNTY
Court of Common Pleas**

SC Court of Appeals

The Honorable Roger M. Young, Circuit Court Judge

Case No. 2020-CP-08-00718

Bethany Aloha Rich, Appellant,

v.

New Heights Property Management, Respondent.

MOTION FOR EXTENSION OF TIME TO ORDER TRANSCRIPT

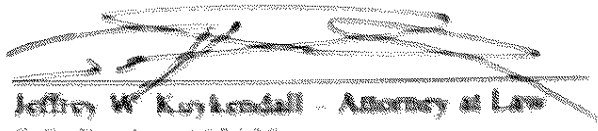
Appellant hereby moves pursuant to Rule 263(b), SCACR, for permission to order the transcript of the underlying proceeding outside of the filing deadlines set by Rule 207 of the South Carolina Appellate Court Rules.

Appellant, though represented in the underlying action, filed the Notice of Appeal in this action *pro se*. Appellant communicated with the court reporter regarding the procedure for ordering the transcript but did not complete the order within the time prescribed by the Rule. A copy of Appellant's communication with the court reporter is attached to this Motion as *Exhibit A*. Appellant subsequently retained the undersigned counsel, who communicated with the court reporter and ordered the transcript prior the filing of this Motion. A copy of counsel's communication with the Court reporter is attached to this Motion as *Exhibit B*. A copy of the letter from counsel ordering the transcript from the court reporter is attached to this Motion as *Exhibit*

Appellant's counsel believes that there is good cause to grant the requested extension to order the transcript to January 29, 2021

WHEREFORE, the Appellant prays that this Court enter an order permitting Appellant to order the transcript outside of the filing deadlines set by Rule 207 of the South Carolina Appellant Court Rules and for such further relief as this Court deems just and proper.

Respectfully submitted,



Jeffrey W. Kuykendall - Attorney at Law
S.C. Bar No. 102318
127 King St., Ste. 208
Charleston, SC 29401
Phone (843) 790-5182
Facsimile (803) 733-1909
jkuykendall@jmklegal.com
Attorney for Appellant

At Charleston, South Carolina

This the 27th day of January, 2021



Jeffrey Kuykendall <jwkuykendall@jwklegal.com>

Rich vs New Heights - transcripts

1 message

~~CONFIDENTIAL~~

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Begin forwarded message:

From: "Lauder, Denise" <dlauder@sccourts.org>
Date: December 28, 2020 at 3:47:10 PM EST
To: Bethany Aloha Rich <brich1@citadel.edu>
Subject: [External] Hearing 10/20/20

Ms. Rich,

I have checked my notes and I was the court reporter who covered the hearing. I have estimated the transcript to be 30 pages @ \$4.25/page, plus \$40.00 for the electronic copy. Please send the deposit of \$167.50 for the proceeding to be transcribed to:

Denise J. Lauder, RPR
416 Eva Street
Moncks Corner, SC 29461

Upon receipt of payment, I will start transcription. Upon completion of transcription, I will provide the transcript to you via email.

Thank you,

Denise J. Lauder, RPR
Official Court Reporter
Ninth Judicial Circuit/Berkeley County
Moncks Corner, SC

Ex. A

--- CONFIDENTIALITY NOTICE --- This message is intended only for the addressee and may contain information that is confidential. If you are not the intended recipient, do not read, copy, retain, or disseminate this message or any attachment. If you have received this message in error, please contact the sender immediately and delete all copies of the message and any attachments.



Jeffrey Kuykendall <jwkuykendall@jwklegal.com>

Rich v. New Heights Property Management 2020-CP-08-00718 (Hearing 10/20/20)

Lauder, Denise <dlauder@sccourts.org>
To: Jeffrey Kuykendall <JWKuykendall@jwklegal.com>

Wed, Jan 27, 2021 at 5:27 PM

Thank you for your email, Mr. Kuykendall.

Please send a check to: Denise J. Lauder, RPR

416 Eva Street

Moncks Corner, SC 29461

Upon receipt, I will place your order next in line to be transcribed.

Thank you,

Denise J. Lauder, RPR

Official Court Reporter

Ninth Judicial Circuit/Berkeley County

Moncks Corner, SC

From: Jeffrey Kuykendall <JWKuykendall@jwklegal.com>
Sent: Wednesday, January 27, 2021 4:54:13 PM
To: Lauder, Denise
Subject: Rich v. New Heights Property Management 2020-CP-08-00718 (Hearing 10/20/20)

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

Denise,

I have recently been retained to represent the Plaintiff/Appellant in the above-referenced case on her pending appeal to the Court of Appeals. I believe that she previously corresponded with you regarding the production of the transcript and you indicated that you estimated the transcript to be 30 pages @ \$4.25/page, plus \$40.00 for the electronic copy, requiring a \$167.50 deposit.

What is the most expeditious way to get this deposit to you to initiate the transcription process? Thank you for your attention to this matter.

Best,

Jeffrey W. Kuykendall
Attorney at Law

127 King St., Ste. 208

Charleston, SC 29401

843.790.5182 (direct)

Ex. B

1/29/2021 Jeffrey W. Kuykendall - Attorney at Law Mail - Rich v. New Heights Property Management 2020-CP-08-00718 (Hearing 10/20/20)

866.733.1909 (facsimile)

Jwkuykendall@jwklegal.com<<mailto:Jwkuykendall@jwklegal.com>>

Confidentiality Disclaimer: This email and any attachments are private communications sent by an attorney, and may contain confidential or legally privileged information meant solely for the intended recipient. If you are not the intended recipient, please notify the sender and delete this email. Thanks.

~~~ CONFIDENTIALITY NOTICE ~~~ This message is intended only for the addressee and may contain information that is confidential. If you are not the intended recipient, do not read, copy, retain, or disseminate this message or any attachment. If you have received this message in error, please contact the sender immediately and delete all copies of the message and any attachments.

**JEFFREY W. KUYKENDALL  
ATTORNEY AT LAW**

127 King St.  
Suite 208  
Charleston, SC 29401

Phone: 843.790.5182  
Facsimile: 866.733.1909  
Jwkuykendall@jwklegal.com

January 28, 2021

**RECEIVED**  
**Jan 29 2021**  
**SC Court of Appeals**

*Via US Mail*  
Denise J. Lauder, RPR  
416 Eva Street  
Moncks Corner, SC 29461

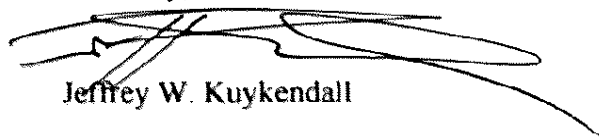
Re: *Rich v. New Heights Property Management 2020-CP-08-00718*  
*Date of Hearing: October 20, 2020*

Denise:

On October 20, 2020, the above case was heard before the Honorable Roger M. Young, Circuit Court Judge, in Berkeley County. You have indicated in previous electronic correspondence with both my client and myself that you were the court reporter for this case. I have enclosed a copy of that electronic communication for your records, as well as a check in the amount of \$167.50 for the deposit that you calculated.

I request that you provide me with a transcript of the proceedings. Please transcribe the entire record. I agree to pay the per page charge for this transcript as provided by Rule 607, SCACR.

Sincerely,



Jeffrey W. Kuykendall

Ex. C

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**APPEAL FROM BERKELEY COUNTY  
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Case No. 2020-CP-08-00718

Bethany Aloha Rich,

Appellant,

v.

New Heights Property Management,

Respondent.

**PROOF OF SERVICE**

The undersigned hereby certifies that he served counsel for the Respondents, New Heights Property Management, through its attorney, Scott Parker Riddell, with a copy of the *Notice of Appearance, Motion for Extension of Time to Order Transcript*, and a copy of the undersigned's correspondence with the court reporter order a transcript by mailing a copy of the same by United States Mail with first class postage to the following address on January 29, 2021.

Scott Parker Riddell  
PMC Law Firm,  
504 W. 5<sup>th</sup> North Street  
Summerville, SC 29483

January 29, 2021

  
Jeffrey W. Kuykendall

**THE STATE OF SOUTH CAROLINA  
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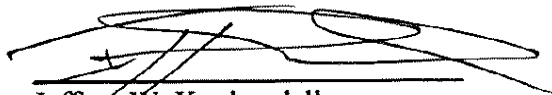
New Heights Property Management,

Respondent.

**CERTIFICATE OF MAILING**

The undersigned hereby certifies that a copy of the Notice of Appearance, Motion for Extension of Time to Order Transcript, Proof of Service, and correspondence with the court reporter affiliated with this case ordering the transcript was served upon the parties to this action by U.S. Mail, first class postage pre-paid and addressed to Scott Riddell, PMC Law Firm, 504 W. 5<sup>th</sup> North Street, Summerville, SC 29483 and The Honorable Jenny A. Kitchings, P.O. Box 11629, Columbia, SC 29211 on this, the 29<sup>th</sup> day of January, 2021, in Charleston, South Carolina.

January 29, 2021.



Jeffrey W. Kuykendall

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**Jan 29 2021**

**SC Court of Appeals**

**JEFFREY W. KUYKENDALL**  
**ATTORNEY AT LAW**

127 King St.  
Suite 208  
Charleston, SC 29401

Phone: 843.790.5182  
Facsimile: 866.733.1909  
Jwkuykendall@jwklegal.com

January 29, 2021

*Via U.S. Mail and Facsimile*  
Honorable Jenny A. Kitchings  
Clerk of Court  
South Carolina Court of Appeals  
P.O. Box 11629  
Columbia, SC 29211  
(803) 734-1839

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**Jan 29 2021**  
**SC Court of Appeals**

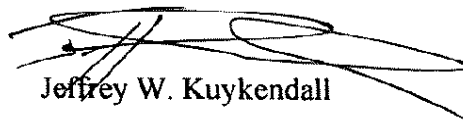
Re: *Bethany Aloha Rich v. New Heights Property Management*  
*Berkeley County Case No. 2020-CP-08-00718*

Dear Ms. Kitchings:

Enclosed please find a Notice of Appearance, a Motion of Extension of Time to Order Transcript, and a copy of the correspondence with the court reporter in the underlying matter for filing in the above-referenced case. We have also enclosed the Proof of Service, Certificate of Mailing, and the required \$50.00 filing fee.

Please file the enclosed documents and return copies to my office in the enclosed self-addressed envelope. Thank you for your assistance in this matter.

Sincerely,



Jeffrey W. Kuykendall

Enclosures (as stated)

cc: Scott Riddell (w/enclosures)  
Client (via email only) (w/enclosures)

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**Jan 29 2021**

**SC Court of Appeals**

## **FAX COVER PAGE**

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To: Clerk of Court  
South Carolina Court of Appeals

From: Jeffrey W. Kuykendall – Attorney at Law

Date: January 29, 2021

RE: *Bethany Aloha Rich v. New Heights Property Management*  
*Berkeley County Case No. 2020-CP-08-00718*

Fax Number: 803.734.1839

Pages: \_15\_ including cover page

Sender: If there is a problem with this transmission, please contact Jeffrey W. Kuykendall at (843) 790-5182.