

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM RICHLAND COUNTY
Court of Common Pleas

G. Thomas Cooper, Jr., Circuit Court Judge

Case No. 2012-213278

Patricia A. Frierson

Appellant,

v.

Kimberly S. Clark

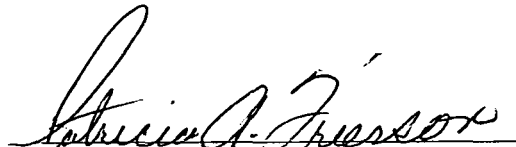
Respondent.

**REPLY MEMORANDUM OF POINTS AND AUTHORITIES TO RESPONDENT
KIMBERLY S. CLARK'S RETURN TO APPELLANT'S MOTION TO RECOVER THE
COST OF UNNECESSARILY ORDERING THE TRANSCRIPT
UNDER SCACR RULE 207(a) 1**

TO THE RESPONDENT AND ITS ATTORNEY OF RECORD:

Appellant Patricia A. Frierson hereby submits this Memorandum of Points and Authorities to Respondent Kimberly S. Clark's Return to Appellant's Motion to Recover the Cost of Unnecessarily Ordering the Transcript under SCACR Rule 207 (a) 1.

Dated: April 2, 2013


PATRICIA A. FRIERSON,
Appellant, Pro Se

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SC Court of Appeals

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207(a)1 of SCACR2

I. INTRODUCTION.

The Appellant contends that ordering the transcript of the proceedings below was unnecessary. Council for Respondent argues that the transcript of the proceedings below was necessary and may have contained relevant information beneficial to her argument.

II. STATEMENT OF FACTS.

Both parties had filed their Initial Briefs and Designation of Matter to be included in the Record on Appeal by October 29, 2012. On October 31, 2012, the Court of Appeals notified both parties that the transcript of the hearing from which this Appeal stems had not been ordered. *See* Exhibit "A" of Appellant's Motion to Recover the Cost of Unnecessarily Ordering Transcript under Rule 207 (a) 1. The Court stated in a telephone conversation with Appellant that unless both parties agreed in writing with original signatures, the transcript had to be ordered within ten (10) days.

III. ORDERING THE TRANSCRIPT OF THE PROCEEDINGS BELOW WAS NOT NECESSARY.

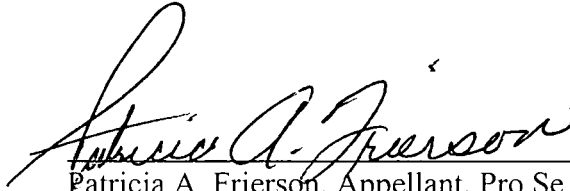
Appellant is informed and believes that the transcript of the proceedings below contained no information beneficial to or relevant to both parties. Respondent knew or should have known that the transcript was not ordered before it submitted its Initial Brief and Designation of Matters to be included in the Record on Appeal on October 29, 2012. Council for Respondent claims that the transcript may have contained relevant information beneficial to her argument and could have been referenced in its Final Brief. This is speculation. In fact, Respondent's Final Brief failed to reference page numbers of actual documents in the Record of Appeal.

IV. CONCLUSION

For the reasons stated above, the Court should grant the Appellant's Motion to Recover the Cost of Unnecessarily Ordering the Transcript under SCACR Rule 207 (a) 1,

and for all just and proper relief.

Dated: April 2, 2013

A handwritten signature in black ink, reading "Patricia A. Frierson". The signature is written in a cursive style with a large initial "P".

Patricia A. Frierson, Appellant, Pro Se
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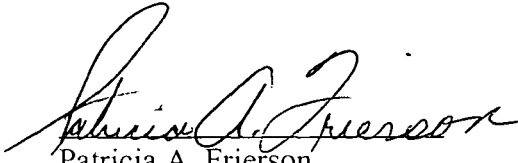
Patricia A. Frierson.

Appellant.

CERTIFICATION OF SERVICE OF REPLY MEMORANDUM OF POINTS
AND AUTHORITIES IN RESPONSE TO RESPONDENT KIMBERLY S.
CLARK'S RETURN TO APPELLANT'S MOTION TO RECOVER COSTS OF
UNNECESSARILY ORDERING TRANSCRIPT UNDER RULE 207 (a) 1

Patricia A. Frierson hereby certify that a copy of the Memorandum of Points and Authorities in response to Respondent Kimberly S. Clark's Return to Appellant's Motion to Recover Costs of Unnecessarily Ordering Transcript under Rule 207 (a) 1 was hand delivered to the Law Office of Stephen L. Hudson, the attorney of record, at 2008 Marion St., Suite G, Columbia, SC 29201, this 2nd day of April, 2013.

Dated: April 2, 2013


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