

The State of South Carolina
In The Supreme Court

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Jun 24 2021

SC Court of Appeals

Appeal from Charleston County
Hon. J.C. Nicholson, Circuit Court Judge
Appellate Case No. 2017-001996

John Doe 2 and Jane Doe 4, John Doe 10, Jane Doe 11,
John Doe 193, Father Doe 194, John Doe 194, John Doe 245 and
Father Doe 245, and John Doe 297,

Appellants,

v.

The Bishop of Charleston, a Corporation Sole; Robert Gugliemone,
The Bishop Of Charleston, in his official capacity; Rev. Monsignor
Martin Laughlin, former Administrator of the Diocese of Charleston,
in his official capacity; Robert J. Baker, former Bishop of Charleston,
in his official capacity; Lawrence E. Richter, Jr.,
David K. Haller, and Richter and Haller, LLC,

Respondents.

Motion to Recall Remittitur and accept Petition for A Writ of
Certiorari To the Court of Appeals

Gregg Meyers, SC Bar No. 9908
217 Lucas Street Unit F-1
Mt. Pleasant SC 29464
843-324-1589
attygm@gmail.com

Attorney for Plaintiffs – Appellants

Other Counsel of Record:

Richard S. Dukes, Jr.
Turner Padget
40 Calhoun Street, Suite 200
PO Box 22129
Charleston SC 29413-2129
Attorney for Respondent The Diocese of Charleston et al.

Benjamin C. Bruner
Chelsea J. Clark
Bruner Powell Wall & Mullins, LLC
1735 St. Julian Place Suite 200
Columbia SC 29204
Attorneys for Respondent Richter and Richter & Haller, LLC

Susan Taylor Wall
Henry W. Frampton, IV
Gordon & Rees
40 Calhoun Street Suite 350
Charleston SC 29401
Attorneys for Respondent David K. Haller

The fee for this motion will be sent by mail.

On June 24 the Court of Appeals issued the remittitur in this appeal.

On June 14, counsel had served, and thought he had filed, a Petition for *Certiorari* to the Court of Appeals. Upon investigation, counsel discovered that the Supreme Court had not accepted the June 14 filing due to the file transfer method by which counsel sent the voluminous record on appeal and other documents associated with the Petition.

The Court had attempted to alert counsel to the method the court preferred for accepting a voluminous filing. Counsel's mother passed away June 12 in Minnesota, and since the 12th counsel has been out of South Carolina dealing with the family matters in Minnesota related to her death. Counsel is still in Minnesota and has not yet set a date to return to his office in South Carolina. Only this morning did counsel become aware that the means of transmission for the Petition for *Certiorari* was not the means preferred by the Court. The omission was inadvertent.

The Petition itself was sent again this morning by email to supctfilings@sccourts.org, and is attached to this motion, in the same form and with the same typographical errors as submitted June 14.. In addition, today a link has been sent to the Court by the OneDrive means preferred by the Court for a voluminous filing. All counsel were served with the Petition on June 14, and are

again served with this motion, as the accompanying Proof of Service reflects, along with the Court of Appeals.

Conclusion

With apologies to the Court and counsel, we ask that the Court recall the remittitur, accept the Petition as of June 14, and continue to process this appeal.

Respectfully submitted,

A handwritten signature in blue ink that reads "Gregg Meyers". The signature is written in a cursive, flowing style with a large, stylized "G" and "M".

Gregg Meyers, SC Bar No. 9908
Of Counsel, Pierce Hems Sloan & Wilson LLC
321 East Bay Street
Charleston SC 29401
843-722-7733, 843-722-7732 facsimile
greggmeyers@phswlaw.com

November 13, 2017

Ruth Weese
1554 Chastain Road
Johns Island, SC 29455
County: Charleston (Circuit: 9)

Re: Doe 202 v North Charleston et al., 2014-CP-0-4591

Dear Ms. Weese:

You were the court reporter during the first week of two week trial that began October 2, 2017.

This is to request the transcript of the proceedings in that trial from the week of October 2 to Friday, October 6.

Of course I will be responsible for the fees associated with that transcript. Please consider this my order for the transcript.

Thank you very much.

Sincerely,

Gregg Meyers

c: Counsel for Respondents

November 13, 2017

Joyce Reuger
P.O. Box 1472
Johns Island , SC 29457
County: Charleston (Circuit: 9)

Re: Doe 202 v North Charleston et al., 2014-CP-0-4591

Dear Ms. Reuger:

You were the court reporter during the second week of a two week trial that began October 2, 2017. Your portion began October 9 and went until October 13.

This is to request the transcript of the proceedings in that trial from the week of October 9 to Friday, October 13.

Of course I will be responsible for the fees associated with that transcript. Please consider this my order for the transcript.

Thank you very much.

Sincerely,

Gregg Meyers

c: Counsel for Respondents

November 13, 2017

Hon. Jenny Abbott Kitchings
Clerk of Court
Court of Appeals
PO Box 11629
Columbia, SC 29211

Re: Doe 202 v North Charleston et al., 2014-CP-0-4591

Dear Ms. Kitchings:

Enclosed for filing is a Notice of Appeal and Amended Notice of Appeal in the case captioned above.

Also enclosed are the following:

1. Proof of service of the Notice of Appeal and Amended Notice of Appeal on counsel for the Respondents,
2. A copy of the jury verdict in the case, from which appeal is taken. The two other orders in the case are contained only in the transcript, which has been requested,
3. A filing fee of \$100,
4. A copy of the letter to the clerk of the lower court filing the notice of appeal. And
5. A copy of two letters to the court reporters who, combined, covered the trial ordering the transcript of the proceedings below.

Please file this notice with the Court. Thank you very much.

Sincerely

Gregg Meyers

c: Counsel for Respondents

November 13, 2017

Hon. Julie A. Armstrong
Clerk of Court
Charleston County Circuit Court
100 Broad Street
Charleston SC 29401

Re: Appeal in 2014-CP-10-4591, Doe 202 v. North Charleston et al.

Dear Julie:

Enclosed for filing is a Notice of Appeal and Amended Notice of Appeal in the case captioned above, tried before Judge Jefferson.

Also enclosed are the following:

1. A copy of the Proof of Service of the Notice of Appeal and Amended Notice of Appeal on counsel for the Respondents,
2. A copy of the one written order involved in the appeal, the other orders not being written, other than the jury verdict, which is attached, and
3. A copy of the letter to the Clerk of the Court of Appeals.

Please file these notices with the Court. Thank you very much, and best personal regards.

Sincerely

Gregg Meyers

c: Counsel for Respondents

November 13, 2017

Chris Dorsel
Senn Legal, LLC
3 Wesley Drive
Charleston SC 29407

Re: Appeal of orders

Dear Counsel:

Enclosed for filing is a Notice of Appeal and Amended Notice of appeal and related documents in what we have been calling the Diocese and Lawyer cases.

I have ordered the transcript of the proceedings.

Best personal regards.

Sincerely

Gregg Meyers

Encl.

Notice of Appeal
Amended Notice of Appeal

c: Counsel for Respondents

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in his official capacity; Robert J. Baker, former Bishop of Charleston,
in his official capacity; Lawrence E. Richter, Jr.,
David K. Haller, and Richter and Haller, LLC,

Respondents

Proof of Service

I hereby affirm that pursuant to SCACR 226C I have served upon counsel for the
defendants/respondent one copy of the Appellant's

**Motion to recall remittitur and accept the June 14 Petition for
Certiorari, with attachment**

by causing the documents and a copy of this Proof of Service to be sent via email to:

supctfilings@sccourts.org
South Carolina Supreme Court
1231 Gervais Street
Columbia SC 29201

RDukes@turnerpadget.com

Richard S. Dukes, Jr.
Turner Padgett
40 Calhoun Street, Suite 200
PO Box 22129
Charleston SC 29413-2129
Attorney for Respondent The Diocese of Charleston et al.

BBruner@brunerpowell.com
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Benjamin C. Bruner
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1735 St. Julian Place Suite 200
Columbia SC 29204
Attorneys for Respondent Richter and Richter & Haller, LLC

swall@grsm.com
hframpton@grsm.com
Susan Taylor Wall
Henry W. Frampton, IV
Gordon & Rees
40 Calhoun Street Suite 350
Charleston SC 29401
Attorneys for Respondent David K. Haller

And to

ctappfilings@sccourts.org
Jenny Kitchings
Clerk of Court
South Carolina Court of Appeals
1015 Sumter Street
PO Box 11629
Columbia, SC 29211