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SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM SUMTER COUNTY
MASTER IN EQUITY

The Hon. Michael M. Jordon, Master In Equity

Case No. 2015-CP-43-1981

Appellate Case No. 2021-000230

Edward Mays and Corrine Mays.....
Respondents,

v.

Irene L. Myers.....
Appellant.

RETURN TO APPELLANT’S REPLY TO RESPONDENT’S THIRD MOTION TO DISMISS
AND RETURN TO APPELLANT’S MOTION FOR CLARIFICATION AND TO COMPEL

Respondents by and through their undersigned attorney, file this Return to Appellant’s Reply to Respondent’s Return to Appellant’s Motion for Clarification and to Compel as well as and Third Motion to Dismiss.

Appellant represented herself in this Court of Common Pleas matter which was adjudicated by the Hon. Michael B. Jordon, Sumter County, Master-in-Equity. Appellant is *pro se* before this Honorable Court.

Again, in Appellant’s Reply to Respondent’s Return, Appellant makes claims that the Master in Equity has ignored her request for information related to the transcripts of hearings or

has suppressed the transcripts, making them unavailable to the Appellant. Once again, Respondents would point out that it is neither the responsibility nor the duty of the Master-in-Equity to locate and identify the court reporter for a litigant. That responsibility lies solely with the litigant who is interested in obtaining the transcript. This Court was correct in its previous decision to deny Appellant's Motion to Compel the Master-in-Equity to produce the contact information of the court reporter, because, as stated above, it is not the responsibility nor the duty of the Master-in-Equity to provide that information. If the Appellant was interested in that information, she could have made that arrangement at the time the hearing was conducted (the same hearing where the Appellant was ordered to leave the courtroom by the presiding Master-in-Equity). However, Appellant failed to make arrangements with the Court Reporter at the hearing in front of the Master-in-Equity when she had the opportunity.

Second, Appellant, in her Reply to Respondent's Return to her Motion for Clarification and to Compel, again makes outrageous claims that Respondents paid \$275.00 **on Appellant's behalf** (emphasis added) to obtain the services of a court reporter. By making this representation, Appellant intends to mislead this court by claiming that the Respondent's obtained a court reporter for hearings on this matter for the Appellant. That statement could not be further from the truth. As this Honorable Court is aware, it is the responsibility of the party who seeks to obtain a hearing in front of a Special Referee or Master-in-Equity, to personally obtain a court reporter for said hearing. In the matter that led to appeal, counsel for Respondents followed proper procedure and obtained a court reporter for the hearings held on August 25, 2020, and October 27, 2020. Counsel for Respondents at no time made statements or led Appellant to believe that they were obtaining a court reporter for Appellant and that they would pay for same on her behalf.

Third, Appellant, in her Reply to Respondent's Return to her Motion for Clarification and to Compel, seeks to compel counsel for Respondent's to provide her with the contact information of the court reporter. It is not the responsibility of counsel for the Respondents to provide this information to the Appellant, as she as a *pro se* litigant perfectly capable of and required to make the necessary arrangements to obtain this information on her own. Appellant will find not find a single source within South Carolina case law or statutory law that directs that it is the responsibility of the Respondents to provide Appellant with the information that she has requested.

Lastly, the Appellant has failed to comply with this Honorable Court's October 14, 2021, Order granting Appellant an additional 20 days from the date of its Order to provide proof that she has made "satisfactory arrangements (including agreement regarding payment for the transcript), in writing with the court reporter for furnishing the transcript." It is now November 22, 2021, and Appellant failed to submit evidence that she has made satisfactory arrangements in writing with the court reporter for furnishing the transcript or ask for an extension of the 20 days.

CONCLUSION

For the reasons stated above, the Court should deny Appellant's Motion for Clarification and to Compel and dismiss the above-captioned appeal.

Respectfully submitted,

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