



WHELAN MELLEN  
& NORRIS, LLC

Charles R. Norris  
charles@whelanmellen.com

Post Office Box 939  
Charleston, SC 29402  
843.998.7099  
whelanmellen.com

January 12, 2022

**Via USPS and Electronic Mail**

Tyler Clark, Appeals Specialist  
South Carolina Court of Appeals  
1220 Senate Street  
Columbia, SC 29201  
tpclark@sccourts.org

**RECEIVED**

**Jan 13 2022**

**SC Court of Appeals**

Re: Charles R. Norris v. Joe Clemons  
Appellate Case No.: 2021-001183  
WMN File No. 1.03542

Dear Mr. Clark:

Attached is a letter from the court reporter stating that on December 5, 2021 the court reporter at trial, Sharon Hardoon, sent Mr. Clemons the trial transcript. Under SCACR 208(a) the appellant, here Mr. Clemons, has 30 days after receiving the transcript to serve and file the initial brief. I have not received the initial brief of the appellant and presume it has not been filed within the time required under Rule 208. There has been no request for an extension of the deadline to file the initial brief. Please advise me whether the Court of Appeals will dismiss this appeal pursuant to SCRCF 208(a)(4) which states "upon failure of the appellant to file and serve his initial brief within the time prescribed, the clerk of the appellate court shall sign an order dismissing the appeal, and the appeal shall not be reinstated except as provided by Rule 260."

If the appeal is not dismissed, the caption needs to be corrected. Attached is an order from the lower court showing the correct caption. The caption in what Mr. Clemons has sent to the Court of Appeals – Charles R. Norris, respondent, v. Joe Clemons, appellant, is incorrect.

Very truly yours,

Charles R. Norris

CRN:aml  
Enclosures  
cc: Joe Clemons

## Charles Norris

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**From:** Hardoon, Sharon G. <shardoon@sccourts.org>  
**Sent:** Wednesday, January 5, 2022 2:41 PM  
**To:** Charles Norris  
**Subject:** Re: clemons v. state farm/pinnell

It was Dec. 5. He asked that I print it for him so I just did the same for you.

Sharon G. Hardoon, CSR  
Official Circuit Reporter III, At-Large

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**From:** Charles Norris <charles@whelanmellen.com>  
**Sent:** Wednesday, January 5, 2022 2:19:37 PM  
**To:** Hardoon, Sharon G.  
**Cc:** Ashley Logan  
**Subject:** clemons v. state farm/pinnell

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

Sharon, today we received the trial transcript. I thought you had sent that to Mr. Clemons and us in early December. You must have because Mr. Clemons claimed the transcript was inaccurate. I don't know how he could make that contention unless he had received the trial transcript. I need to know: (1) when did you send the trial transcript and exhibits to Mr. Clemons? (2) If you sent the trial transcript to us and to Mr. Clemons in early December, why are we now getting another copy? I need to know the answer to these questions as Mr. Clemons, as the appellant, has 30 days from receipt of the trial transcript to file his initial brief with the Court of Appeals.

Charles R. Norris

Whelan Mellen & Norris LLC

945 Houston Northcutt

Mt. Pleasant, SC 29464

Direct: 843.619.3824 | Main: 843.998.7099

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STATE OF SOUTH CAROLINA  
COUNTY OF Berkeley  
IN THE COURT OF COMMON PLEAS

JUDGMENT IN A CIVIL CASE

CASE NO. 2019CP0800424

Joe Clemons  
PLAINTIFF(S)

Peggy H. Pinnell Agency, Inc. et al  
DEFENDANT(S)

DISPOSITION TYPE (CHECK ONE)

- JURY VERDICT.** This action came before the court for a trial by jury. The issues have been tried and a verdict rendered.
- DECISION BY THE COURT.** This action came to trial or hearing before the court. The issues have been tried or heard and a decision rendered.
- ACTION DISMISSED (CHECK REASON):**  Rule 12(b), SCRPC;  Rule 41(a), SCRPC (Vol. Nonsuit);  Rule 43(k), SCRPC (Settled);  
 Other
- ACTION STRICKEN (CHECK REASON):**  Rule 40(j), SCRPC;  Bankruptcy;  
 Binding arbitration, subject to right to restore to confirm, vacate or modify arbitration award;  
 Other
- STAYED DUE TO BANKRUPTCY**
- DISPOSITION OF APPEAL TO THE CIRCUIT COURT (CHECK APPLICABLE BOX):**  
 Affirmed;  Reversed;  Remanded;  
 Other

NOTE: ATTORNEYS ARE RESPONSIBLE FOR NOTIFYING LOWER COURT, TRIBUNAL, OR ADMINISTRATIVE AGENCY OF THE CIRCUIT COURT RULING IN THIS APPEAL.

IT IS ORDERED AND ADJUDGED:  See attached order (formal order to follow)  Statement of Judgment by the Court:

This case came before the Court for a jury trial on August 23-24, 2021. At the close of the Plaintiff's case in chief, Defendants made a Motion for Directed Verdict as to all remaining causes of action: (1) Breach of Contract, (2) Breach of Fiduciary Duty, (3) Negligence, (4) Negligent Misrepresentation, (5) Fraud, (6) Constructive Fraud, (7) Civil Conspiracy. The Court respectfully hereby GRANTS Defendants' motion as to all causes of action. Plaintiff was and is advised of his right to file any post-trial motions and/or appeal this decision pursuant to the South Carolina Rules of Civil Procedure and South Carolina Appellate Court Rules. The Plaintiff has ten (10) days from the date of this Order to file any post-trial motions with this court and thirty (30) days to appeal to the South Carolina Court of Appeals.

ORDER INFORMATION

This order  ends  does not end the case.  See Page 2 for additional information.

For Clerk of Court Office Use Only

This judgment was electronically entered by the Clerk of Court as reflected on the Electronic Time Stamp, and a copy mailed first class to any party not proceeding in the Electronic Filing System on 08/24/2021 .

Joe Clemons for Joe Clemons  
Doyet A. Early, III  
Joe Clemons for Joe Clemons

NAMES OF TRADITIONAL FILERS SERVED BY MAIL