



Kay Kelly <kay@carlmullerlaw.com>

Fwd: Sarmed and Jessica M. Shafi v. D.R. Horton, Inc. (2022-000016)

1 message

Carl Muller <carl@carlmullerlaw.com>
To: Kay Kelly <kay@carlmullerlaw.com>

Wed, May 18, 2022 at 3:57 PM

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SC Court of Appeals

----- Forwarded message -----

From: **Spencer, Shelby** <sspencer@sccourts.org>
Date: Wed, May 18, 2022 at 3:03 PM
Subject: Sarmed and Jessica M. Shafi v. D.R. Horton, Inc. (2022-000016)
To: carl@carlmullerlaw.com <carl@carlmullerlaw.com>, michael.nail@ogletreedeakins.com <michael.nail@ogletreedeakins.com>, kirsten.peterson@ogletreedeakins.com <kirsten.peterson@ogletreedeakins.com>, tcloud@clawsonandstaubes.com <tcloud@clawsonandstaubes.com>, egiffordlucey@richardsonplowden.com <egiffordlucey@richardsonplowden.com>, mwhite@richardsonplowden.com <mwhite@richardsonplowden.com>, jross@rclawsc.com <jross@rclawsc.com>, pcristaldi@rclawsc.com <pcristaldi@rclawsc.com>, swinograd@rclawsc.com <swinograd@rclawsc.com>, ben@bentraywicklaw.com <ben@bentraywicklaw.com>, ali@bentraywicklaw.com <ali@bentraywicklaw.com>, lin@mlf.law <lin@mlf.law>, tom@mlf.law <tom@mlf.law>, cganjehsani@richardsonplowden.com <cganjehsani@richardsonplowden.com>

Dear Counsel,

Attached is a copy of this Court's letter. If you have any questions or concerns, please do not hesitate to contact our office.

Warmly,

Shelby Spencer

Appeals Specialist II

SC Court of Appeals

1220 Senate Street

Columbia, SC 29201

Phone: 803.734.1890

Fax: 803.734.1839

E-Filing Email: ctappfilings@sccourts.org

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# The South Carolina Court of Appeals

JENNY ABBOTT KITCHINGS  
CLERK

V. CLAIRE ALLEN  
CHIEF DEPUTY CLERK

POST OFFICE BOX 11629  
COLUMBIA, SOUTH CAROLINA 29211  
1220 SENATE STREET  
COLUMBIA, SOUTH CAROLINA 29201  
TELEPHONE: (803) 734-1890  
FAX: (803) 734-1839  
[www.sccourts.org](http://www.sccourts.org)

May 18, 2022

Mr. Carl F. Muller, Esquire  
607 Pendleton Street  
Suite 201  
Greenville SC 29601

Mr. Steven Michael Nail, Esquire  
300 North Main Street  
Suite 500  
Greenville SC 29601

Ms. Kirsten M. Peterson, Esquire  
300 North Main Street (29601)  
PO Box 2757  
Greenville SC 29602

Re: Sarmed and Jessica M. Shafi v. D.R. Horton, Inc.  
Appellate Case No. 2022-000016

Dear Counsel:

Our records reflect that the time for ordering the transcript has expired. Within ten (10) days of the date of this letter, you must file a copy of the letter showing that you have ordered the transcript directly from the court reporter, along with a motion requesting permission to order the transcript outside of the filing deadlines set by Rule 207 of the South Carolina Appellate Court Rules (SCACR). Your appeal will be dismissed if no motion is made within ten (10) days of the date of this letter.

Very truly yours,

*V. Claire Allen*

CLERK

cc: Tyler Ethan Cloud, Esquire  
Emily Gifford Lucey, Esquire  
Megan Christine White, Esquire  
Jeffrey A Ross, Esquire  
Philip Paul Cristaldi, III, Esquire  
Scott Harris Winograd, Esquire  
Benjamin Alexander Crute Traywick, Esquire  
Alexandra Scott Williams, Esquire  
J. Olin McDougall, II, Esquire  
William Thomas Bacon, IV, Esquire  
Carmen Vaughn Ganjehsani, Esquire



Kay Kelly <kay@carlmullerlaw.com>

**Transcript request**

2 messages

**Kay Kelly** <kay@carlmullerlaw.com>  
To: transcripts@sccourts.org

Wed, Apr 27, 2022 at 10:52 AM

Dear South Carolina Court Administration Team,

Please see our attached transcript request. Let us know if you have any questions.  
Thank you,  
Kay Kelly

--

**D. Kay Kelly**

[kay@carlmullerlaw.com](mailto:kay@carlmullerlaw.com)

864.991.8904

864.751.2831 fax

607 Pendleton Street Suite 201

Greenville, SC 29601

 **Request for Transcript.pdf**  
827K

**Transcripts** <transcripts@sccourts.org>

Wed, Apr 27, 2022 at 10:59 AM

To: "Young, Cathy L." <clyoung@sccourts.org>

Cc: Transcripts <transcripts@sccourts.org>, "kay@carlmullerlaw.com" <kay@carlmullerlaw.com>

Good morning Cathy,

Please review the attached request.

Thank you,

China Wade

**From:** Kay Kelly <kay@carlmullerlaw.com>

**Sent:** Wednesday, April 27, 2022 10:53 AM

**To:** Transcripts <transcripts@sccourts.org>

**Subject:** Transcript request

5/18/22, 3:36 PM

Carl Muller Attorney at Law Mail - Transcript request

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

[Quoted text hidden]

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Request for Transcript.pdf

827K



Kay Kelly <kay@carlmullerlaw.com>

Request for Transcripts

1 message

Kay Kelly <kay@carlmullerlaw.com>

Tue, Apr 26, 2022 at 4:30 PM

To: clyoung@sccourts.org

Hey Cathy,
I was given your name by the administration office as court reporter for the attached case.
Please let me know that this is correct and what else you may need from me.
Thank you for your time. It's greatly appreciated.
Take care,
Kay Kelly

--

D. Kay Kellykay@carlmullerlaw.com

864.991.8904

864.751.2831 fax

607 Pendleton Street Suite 201

Greenville, SC 29601

 **Request for Transcript.pdf**
827K

CARL F. MULLER, ATTORNEY AT LAW, P.A.

607 PENDLETON STREET, SUITE 201
GREENVILLE, SOUTH CAROLINA 29601

POST OFFICE BOX 1717
GREENVILLE, SOUTH CAROLINA 29602-1717

PHONE: 864-991-8904
FAX: 864-751-2831

April 26, 2022

CARL@CARLMULLERLAW.COM

Via Email & First class mail

Cathy L. Young
P.O. Box 4604
Beaufort, SC 29903
clyoung@sccourts.org

Case No. 2018-CP-07-00911
Appeal from Beaufort County
Request for Transcript of case on appeal to Court of Appeals

Dear Ms. Young,

I have filed a 2nd Notice of Appeal in this case on behalf of the Defendant D. R. Horton and wish to order the transcript of the January 7, 2022 hearing on the Motion for Setoff before the Honorable Bentley D. Price.

Of course, let me know if you have any questions.

Many thanks.

Very truly yours,


Carl F. Muller

CFM:dkk
Cc:
Jenny Abbott Kitchings, Clerk of Court
South Carolina Court of Appeals
1220 Senate Street
Columbia, South Carolina 29201

Transcript Request Form

Pursuant to Rule 207 and 607 of the South Carolina Appellate Court Rules, the transcribed paper copy is the official record of court proceedings. You may request a transcript by completing this form and emailing it to the Court Reporter and to South Carolina Court Administration at transcripts@sccourts.org. Click [here](#) for instructions on how to find the court reporter's email and mailing addresses. Once the court reporter receives your request, it will be processed pursuant to Rule 207 and 607 of the SCACR. Rule 607(h) governs the fees for transcripts, which are not provided for free or at reduced rates to any party. Please send by mail a money order or certified bank check to the court reporter in order to obtain the transcript. Some court reporters may accept personal checks. Please check with the court reporter to see if this option is available. Once your request is received, you will receive a copy of this form with the bottom portion completed. Please promptly submit your payment in order for the transcript to be provided. If you need to cancel the transcript request for any reason, you are responsible for paying for the pages of the transcript that have already been completed at the time of the cancellation.

| Requestor's Information | | | |
|-----------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------|--------------------------|
| Full Name <u>Carl F. Muller</u> | Phone Number <u>864-991-8904</u> | Email Address <u>kay@carlmullerlaw.com</u> | |
| Mailing Address <u>607 Pendleton Street, Suite 201</u> | City <u>Greenville</u> | State <u>SC</u> | Zip Code <u>29601</u> |
| Transcript Information | | | |
| Docket Number <u>2018-CP-07-00911</u> | Case Caption (i.e. State v. John Doe or Smith v. Smith) <u>Richard W Dreir, plaintiff, et al Vs Atlas Surveying Inc, defendant et al</u> | | |
| Date(s) of Proceeding <u>January 7, 2022</u> | Circuit <input checked="" type="checkbox"/> Family <input type="checkbox"/> | County <u>Beaufort</u> | |
| Presiding Judge <u>Honorable Beutley D. Price</u> | Expedited Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> | | |
| Court Reporter(s) <u>Cathy L. Young</u> | Opposing Counsel <u>See attached Notice of Appeal</u> | | |

Requestor's Signature: Carl Muller
(Typed name will serve as signature)

Date: April 26, 2022

Note: If you are ordering a transcript pursuant to Rule 207(a)(1), SCACR, you must contemporaneously furnish all parties, the Office of Court Administration, and the clerk of the appellate court with copies of all correspondence with the court reporter.

| For Court Reporter Use Only | | | |
|----------------------------------------------------------------------------------------------------|------------------------|------------------------|-------------------|
| Full Name _____ | Date Received _____ | Email Address _____ | |
| Notice of Estimate to Requestor Party Date: _____ Number of Pages: _____ Estimated Amount _____ | | | |
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APR 22 2022

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM BEAUFORT COUNTY
Court of Common Pleas

Bentley D. Price, Circuit Court Judge

Case No. 2018-CP-07-00911

Richard W. and Rebecca A. Drier; Sarmed and Jessica M. Shafi; *et al.*,

Plaintiffs of whom Sarmed and Jessica M. Shafi are Respondents,

v.

Advanced Flooring & Design Division of ISI, LLC f/k/a Advanced Flooring and Design; LLC,
D.R.Horton, Inc.; East Coast Construction Cleanup Corp. f/k/a S. C. Cleanup Co., Inc.; Hutton's
Landscapes, Inc.; Lather Construction SC, Inc.; Lather Construction, Inc.; *et al.*,

Defendants of whom D. R. Horton, Inc. is Appellant,

And

D. R. Horton, Inc.,

Cross-claimant and Appellant,

v.

East Coast Construction Cleanup Corp. f/k/a S. C. Cleanup Co., Inc.; Hutton's Landscapes, Inc.;
Lather Construction SC, Inc.; Lather Construction, Inc.,

Cross-defendants and Respondents

NOTICE OF APPEAL

D. R. Horton, Inc. appeals (a) the written Order on Plaintiffs Jessica and Sarmed Shafi's Motion For Hearing and Additional Findings to Establish Amount of Setoff, and for Other Relief issued by the Honorable Bentley D. Price on February 25, 2022 and (b) his written order denying its Rule 59 SCRCF motion to alter or amend judgment concerning that order, filed on March 24, 2022. D. R. Horton



COPY

received written notice of the entry of the order denying its Rule 59 motion to alter or amend judgment on or about March 24, 2022. It received written notice of the prior Order, and addressed in the Rule 59 Order, on or about February 25, 2022.

April 19, 2022



s/Carl F. Muller, SC Bar #4131
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D. R. Horton, Inc.

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Kirsten Peterson (S.C. Bar# 104226)
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Other Counsel of Record:

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Lather Construction SC, Inc.

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Attorneys for the Respondent Plaintiff

