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May 20 2022

SC Court of Appeals

**SUPPLEMENTAL MOTION TO FILE REQUEST
OUTSIDE OF TIME**

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM RICHLAND COUNTY
Court of Common Pleas

Jocelyn Newman, Circuit Court Judge

Case No. 22021-001527

Tina Patton,

Appellant,

v.

Linda Doty,

Respondent.

**SUPPLEMENTAL MOTION TO FILE REQUEST OUTSIDE
OF TIME**

Attorney Thornwell Simons, on behalf of Ms. Tina Patton, Appellant, files this Motion in the above-captioned matter.

On January 18th, 2022, counsel received correspondence from the Court of Appeals requiring submission of proof that a transcript of the trial below has been timely requested. Documentation that a trial transcript had been timely requested was submitted to the Court of Appeals by Mr. Simons on January 24, 2022, along with a Motion to be Relieved as Counsel and other contemporaneous filings.


A transcript of the oral argument before Richland County Circuit Court Judge Jocelyn Newman on August 27th, 2021 had not been requested as of January 18, 2022, as funding for that request was not available for the reasons explained in Counsel's Motion to be Relieved (primarily, that the Richland County Public Defender's Office does not

normally provide representation, or funding for litigation, for matters outside the Richland County court system).

On April 14, 2022, Mr. Simons received correspondence from the Court of Appeals informing him that if Ms. Patton were unable to find other counsel, and did not choose to represent herself *pro se*, then after thirty days, the Richland County Public Defender's Office would remain as counsel and represent Ms. Patton in this Appeal.

Thirty days have now passed and Mr. Simons therefore believes he remains as appointed counsel for Ms. Patton in this matter. The Richland County Public Defender's Office has therefore now provided funding for a transcript of the oral argument before Richland County Circuit Court Judge Jocelyn Newman on August 27th, 2021, and that transcript has been requested. Documentation of that request is attached as Attachment A. While this additional transcript is not a transcript of the trial below, but only of appellate oral argument, if such additional filing is deemed necessary by the Court then counsel requests permission to file it outside of time.

05/14/ 2022


s/
Thornwell Simons
S.C. Bar # 73719
Richland County Public Defender's Office
1701 Main Street
Columbia, SC 29201
(803) 765-2592, xt 117
Attorney for Appellant

Other Counsel of Record:

Mr. Charnell Glen Peake,
9357 Two Notch Road,
Columbia, SC 29223
Attorney for Respondent

Attachments:

Attachment A

THORNWELL SIMONS

From: Krystal Grant
Sent: Thursday, April 28, 2022 3:12 PM
To: 'Harris, Elizabeth B.'
Cc: THORNWELL SIMONS
Subject: RE: Patton v. Doty

Thank You.

From: Harris, Elizabeth B. <EHarris@sccourts.org>
Sent: Thursday, April 28, 2022 3:08 PM
To: Krystal Grant <Grant.Krystal@richlandcountysc.gov>
Cc: THORNWELL SIMONS <SIMONS.THORNWELL@richlandcountysc.gov>; Transcripts <transcripts@sccourts.org>
Subject: Re: Patton v. Doty

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Excellent! Please consider your transcript ordered as of today, April 28, 2022. As I said earlier, I anticipate this will run 20 pages.

Cordially,
Elizabeth B. Harris, CVR-M-CM

From: Krystal Grant <Grant.Krystal@richlandcountysc.gov>
Sent: Thursday, April 28, 2022 3:04 PM
To: Harris, Elizabeth B. <EHarris@sccourts.org>
Cc: THORNWELL SIMONS <SIMONS.THORNWELL@richlandcountysc.gov>
Subject: RE: Patton v. Doty

Good afternoon, we would like to proceed with the order.

Thank You,
Krystal Grant

From: Harris, Elizabeth B. <EHarris@sccourts.org>
Sent: Thursday, April 28, 2022 1:26 PM
To: Krystal Grant <Grant.Krystal@richlandcountysc.gov>
Subject: Re: Patton v. Doty

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Hello. I estimate 20 pages, which would make that a total of \$85.00. Just let me know when you're ready to order.

Cordially,

Elizabeth B. Harris, CVR-M-CM
Court Reporter to the Hon. L. Casey Manning

From: Krystal Grant <Grant.Krystal@richlandcountysc.gov>
Sent: Thursday, April 28, 2022 1:06 PM
To: Harris, Elizabeth B. <EHarris@sccourts.org>
Subject: Patton v. Doty

Good afternoon, I would like to inquire about a quote for transcript of an oral argument in the appeal of the matter of Patton v. Doty with Judge Newman on August 27, 2021. If any further information is needed I can be reached at the number listed below.

Thank You,
Krystal Grant
Paralegal
Richland County Public Defender's Office
803 765 25929 ext 139

~~~ CONFIDENTIALITY NOTICE ~~~ This message is intended only for the addressee and may contain information that is confidential. If you are not the intended recipient, do not read, copy, retain, or disseminate this message or any attachment. If you have received this message in error, please contact the sender immediately and delete all copies of the message and any attachments.


**RECEIVED**

**May 20 2022**

**SC Court of Appeals**

**CERTIFICATE OF SERVICE**

I hereby certify that I have caused a copy of the foregoing document to be served upon opposing counsel via electronic mail in the above captioned case.

  
\_\_\_\_\_  
Thornwell Simons (SC Bar No. 0073719)  
Richland County Public Defender's Office  
1701 Main St., Suite #103  
Columbia, South Carolina 29201  
(803) 765-2592

This 20<sup>th</sup> day of May, 2022