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SC Court of Appeals

**THE STATE OF SOUTH CAROLINA
In the Court of Appeals**

**APPEAL FROM CHARLESTON COUNTY
Court of Common Pleas**

**The Honorable Bentley D. Price
Circuit Court Judge**

**Case No. 2019-CP-10-02430
Appellate Case No. 2022-000592**

**Pamela Holliday Wallin; Mark Bennett Holliday; Kingsley K. Holliday;
Sara Jane Holliday; and John C. Holliday.....Appellants,**

v.

Ross Samuel Holliday as Personal Representative of the Estate of Warren; Phillip Holliday; Ross Samuel Holliday, individually; Warren Lea Holliday, individually; 2233 Highway 17 North, LLC; 2237 Highway 17 North, LLC; 2805 Highway 17 North, LLC; 1606 Meeting Street, LLC; Bacons Bridge Road, LLC; 4687 Franchise Street, LLC; Zeezrom Properties, LLC; John Doe Leased Vehicle; 1905 North Main Street, Summerville, LLC; 815 Folly Road, LLC; 832 Coleman Blvd., LLC; 2189 Discher Avenue, LLC; New Space Science, LLC; Pirates Plunder, LLC; Sawgrass Technologies, Inc.; Holliday Amusement Company, Inc.; and The Revocable Trust Agreement between Warren P. Holliday as Settlor and as Trustee.....Respondents.

**APPELLANTS’ MOTION TO ORDER TRANSCRIPT
OUTSIDE OF FILING DEADLINES**

COME NOW the Appellants, Pamela Holliday Wallin, Mark Bennett Holliday, Kingsley K. Holliday, Sara Jane Holliday and John C. Holliday (collectively “Appellants”), and hereby request permission to order the transcript outside of the filing deadlines set by Rule 207 of the South Carolina Appellate Court Rules, respectfully showing as follows:

1. Appellants filed and served their Notice of Appeal in this action on May 5, 2022.

2. Also on May 5, 2022, the undersigned's paralegal submitted a Transcript Request Forms via e-mail to the Court Reporter, South Carolina Court Administration, and all counsel of record and received confirmation of receipt the same day. A copy of these communications are attached hereto as **Exhibit A**.

3. On May 10, 2022, Bobbi J. Fisher confirmed receipt of the Transcript Request Forms and provided delivery options of the same. (**Exhibit B**). Delivery options were selected, and the time period for delivery of the transcripts has not expired.

4. The foregoing communications requesting the transcripts were inadvertently not provided to the Clerk of the Court of Appeals.

5. On May 31, 2022, Appellants received written notice from the Court that the time for ordering transcripts had expired and notifying of the need to file the instant motion to order the transcript outside of the filing deadlines.

WHEREFORE, Appellants respectfully request that this Court accept and consider the timely communications with the Court Reporter as set forth and described herein and grant Appellants permission to order the transcript outside of the filing deadlines.

Respectfully submitted,

s/Michael A. Timbes
Michael A. Timbes (SC Bar No. 69730)
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-and-

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June 1, 2022
Charleston, South Carolina

Other Counsel of Record:

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F. Truett Nettles, II (SC Bar No.4195)
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tnettles@rosenhagood.com
Attorneys for Respondents

Exhibit A

EXHIBIT A

From: Transcripts
To: Shannon Cerone; RetiredCR; Transcripts
Cc: Michael A. Timbes; Brent Halversen; dan@slotchiverlaw.com; Steve Slotchiver; "Alice Paylor"; Bijan Ghom; tnettl@rosenhagood.com; Fisher, Bobbi
Subject: RE: Pamela Holliday Wallin, et al. v. Ross Samuel Holliday, et al.
Date: Thursday, May 5, 2022 5:36:28 PM
Attachments: image002.png
image003.png
image004.png

Good afternoon,

Your request has been sent to Bobbi Fisher for production.

Thank you,
China Wade

From: Shannon Cerone <scerone@tktlawyers.com>
Sent: Thursday, May 5, 2022 3:36 PM
To: RetiredCR <Retiredcr@sccourts.org>; Transcripts <transcripts@sccourts.org>
Cc: Michael A. Timbes <michael@tktlawyers.com>; Brent Halversen <brent@halversenlaw.com>; dan@slotchiverlaw.com; Steve Slotchiver <steve@slotchiverlaw.com>; 'Alice Paylor' <apaylor@rosenhagood.com>; Bijan Ghom <bghom@rosenhagood.com>; tnettl@rosenhagood.com
Subject: Pamela Holliday Wallin, et al. v. Ross Samuel Holliday, et al.

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

Good Afternoon:

Please see the attached Transcript Request Forms regarding the above-referenced matter.

Thank you,

Shannon R. Cerone

**THURMOND KIRCHNER
& TIMBES, P.A.**
ATTORNEYS AT LAW



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Paralegal
Thurmond Kirchner & Timbes, P.A.
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EXHIBIT A

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 Michael A. Timbes	Phone Number (843) 937-8000	Email Address michael@tktlawyers.com	
Mailing Address 15 Middle Atlantic Wharf	City Charleston	State SC	Zip Code 29401
Transcript Information			
Docket Number 2019-CP-10-02430	Case Caption (i.e. State v. John Doe or Smith v. Smith) Pamela Holliday Wallin, et al. v. Ross Samuel Holliday, et al.		
Date(s) of Proceeding 12/16/2020	Circuit <input checked="" type="checkbox"/> Family <input type="checkbox"/>	County Charleston	
Presiding Judge The Honorable Bentley D. Price	Expedited: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>		
Court Reporter(s) Krista Nicole Carney	Opposing Counsel Alice F. Paylor, Esquire		

Requestor's Signature: s/Michael A. Timbes
(Typed name will serve as signature)

Date: May 5, 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 _____			
Mailing Address for Payment _____	City _____	State _____	Zip Code _____

EXHIBIT A

Transcript Request Form

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Requestor's Information			
Full Name Michael A. Timbes	Phone Number (843) 937-8000	Email Address michael@tktlawyers.com	
Mailing Address 15 Middle Atlantic Wharf	City Charleston	State SC	Zip Code 29401
Transcript Information			
Docket Number 2019-CP-10-02430	Case Caption (i.e. State v. John Doe or Smith v. Smith) Pamela Holliday Wallin, et al. v. Ross Samuel Holliday, et al.		
Date(s) of Proceeding 04/18/2022	Circuit <input checked="" type="checkbox"/> Family <input type="checkbox"/>	County Charleston	
Presiding Judge The Honorable Bentley D. Price	Expedited: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>		
Court Reporter(s) Caressa Johnson	Opposing Counsel Alice F. Paylor, Esquire		

Requestor's Signature: s/Michael A. Timbes
(Typed name will serve as signature)

Date: May 5, 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 _____			
Mailing Address for Payment _____	City _____	State _____	Zip Code _____

Exhibit B

EXHIBIT B

From: [Michael A. Timbes](#)
To: [Fisher, Bobbi](#)
Subject: Re: Transcript Request Received - Holliday Wallin v Holliday
Date: Wednesday, May 18, 2022 10:00:59 PM
Attachments: [image819304.png](#)
[image873737.png](#)
[image016755.png](#)

Of course! My co-counsel obtained the first half at some point after those hearings. I will inquire tomorrow who supplied it.

Get [Outlook for iOS](#)

From: Fisher, Bobbi <bfisher@sccourts.org>
Sent: Wednesday, May 18, 2022 8:33 PM
To: Michael A. Timbes <michael@tktlawyers.com>
Subject: Re: Transcript Request Received - Holliday Wallin v Holliday

 You don't often get email from bfisher@sccourts.org. [Learn why this is important](#)

Dear Mr. Timbes:

May I ask who supplied you with the first half of the transcript?

Bobbi J. Fisher, RPR

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From: Michael A. Timbes <michael@tktlawyers.com>
Sent: Wednesday, May 18, 2022 9:09 AM
To: Fisher, Bobbi <bfisher@sccourts.org>
Cc: Transcripts <transcripts@sccourts.org>; Shannon Cerone <scerone@tktlawyers.com>
Subject: RE: Transcript Request Received - Holliday Wallin v Holliday

Thank you, Bobbi.

I actually have the first part of the 12/16 proceeding already and was hoping we would be able to get the second half. If that is not available, I do not need a reproduction of the first half. Do you have any suggestions on how we might be able to find the second half? You are correct—we broke at the half-way point and came back in afternoon for further proceedings.

Please provide delivery for the 4/18 transcript by PDF/email.

EXHIBIT B

Many thanks!



Michael A. Timbes

Partner

Thurmond Kirchner & Timbes, P.A.

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A: 15 Middle Atlantic Wharf, Charleston, SC 29401



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From: Fisher, Bobbi <bfisher@sccourts.org>

Sent: Tuesday, May 10, 2022 10:36 PM

To: Michael A. Timbes <michael@tktlawyers.com>

Cc: Transcripts <transcripts@sccourts.org>

Subject: Transcript Request Received - Holliday Wallin v Holliday

You don't often get email from bfisher@sccourts.org. [Learn why this is important](#)

Dear Mr. Timbes:

I received your transcript request on Thursday, 5/5, requesting two transcripts in this case of Holliday Wallin v Holliday.

The first case, heard on 12/16/2020, was taken down by a former court reporter, Krista Carney. We were only able to find the first portion of this hearing in her files. It seems that this hearing had started and then resumed at some point maybe later that day. We only have the first portion, which is 30 pages. This is a copy so it would be \$30.

The second case, heard on 4/18/22, was by DCRP. I will be producing this one as well.

Please let me know how you would like delivery:

- PDF/email -- add \$40 fee
- Hard copy/Priority Mail -- add \$9 fee
- Both -- add \$49 fee

Thanks!

Bobbi J. Fisher, RPR

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EXHIBIT B

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THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

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APPEAL FROM CHARLESTON COUNTY  
Court of Common Pleas

The Honorable Bentley D. Price  
Circuit Court Judge

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Case No. 2019-CP-10-02430  
Appellate Case No. 2022-000592

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Pamela Holliday Wallin, Mark Bennett Holliday, Kingsley K. Holliday, Sara Jane Holliday, and John C. Holliday, Appellants,

v.

Ross Samuel Holliday, Personal Representative of the Estate of Warren Phillip Holliday, Ross Samuel Holliday, individually, Warren Lea Holliday, individually, 2233 Highway 17 North, LLC, 2237 Highway 17 North, LLC, 2805 Highway 17 North, LLC, 1606 Meeting Street, LLC, Bacons Bridge Road, LLC, 4687 Franchise Street, LLC, Zeezrom Properties, LLC, John Doe Leased Vehicle, 1905 North Main Street, Summerville, LLC, 815 Folly Road, LLC, 832 Coleman Blvd, LLC, 2189 Discher Avenue, LLC, New Space Science, LLC, Pirates Plunder, LLC, Sawgrass Technologies, Inc., Holliday Amusement Company, Inc., and the Revocable Trust Agreement between Warren P. Holliday as Settlor and as Trustee, Respondents.

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**PROOF OF SERVICE**

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The undersigned certifies that she served a copy of the foregoing **Appellants' Motion to Order Transcript Outside of Filing Deadlines** to all counsel of record on June 1, 2022, by mailing a copy of the same, electronically or with proper postage affixed thereto, as follows:

Alice F. Paylor  
Bijan Khaladj-Ghom  
F. Truett Nettles, II  
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[tnettles@rosenhagood.com](mailto:tnettles@rosenhagood.com)  
*Attorneys for Respondents*

*S. Cerone*

---

Shannon R. Cerone, Paralegal