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Jun 06 2022

SC Court of Appeals

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

APPEAL FROM CHARLESTON COUNTY
Court of Common Pleas

The Honorable R. Markley Dennis, Jr., Circuit Court Judge

Case No. 2021-CP-10-004154

Nicole Qunita Murray, Appellant,

v.

Linda P. Smith, Respondent.

MOTION FOR EXTENSION OF TIME TO ORDER TRANSCRIPT

Appellant hereby moves pursuant to Rule 263(b), SCACR, for permission to order the transcript of the underlying proceeding outside of the filing deadlines set by Rule 207 of the South Carolina Appellate Court Rules.

Appellant filed the Notice of Appeal in this action on May 12, 2022, the date of both filing and receipt of the Order on Appeal from the Circuit Court. At the time of filing, Appellant's Counsel was out of the office on paternity leave. Though not directly applicable to the instant appeal, counsel had sought and obtained an Order of Protection from Court Appearance from the Chief Administrative Judge for the Charleston County Court of Common Pleas, a copy of which is attached as *Exhibit A*. Appellant's Counsel has subsequently ordered the transcript prior the filing of this Motion. A copy of counsel's communication with the WebEx transcript request email address is attached to this Motion as *Exhibit B*. A copy of the completed transcript request form

ordering the WebEx transcript is attached to this Motion as *Exhibit C*. Appellant's counsel believes that there is good cause to grant the requested extension to order the transcript.

WHEREFORE, the Appellant prays that this Court enter an order permitting Appellant to order the transcript outside of the filing deadlines see by Rule 207 of the South Carolina Appellant Court Rules and for such further relief as this Court deems just and proper.

Respectfully submitted,

/s/ Jeffrey W. Kuykendall _____
Jeffrey W. Kuykendall – Attorney at Law
S.C. Bar No. 102538
127 King St., Ste. 208
Charleston, SC 29401
Phone: (843) 790-5182
Facsimile: (866) 733-1909
Jwkuykendall@jwklegal.com
Attorney for Appellant

At Charleston, South Carolina
This the 6th day of June, 2022.

| | | |
|----------------------------|---|--------------------------------|
| STATE OF SOUTH CAROLINA |) | IN THE COURT OF COMMON PLEAS |
| |) | FOR THE NINTH JUDICIAL CIRCUIT |
| COUNTY OF CHARLESTON |) | |
| |) | |
| |) | |
| IN RE: |) | |
| JEFFREY WILLIAM KUYKENDALL |) | <u>ORDER OF PROTECTION</u> |
| |) | |
| _____ |) | |

IT APPEARING TO THE COURT that Jeffrey William Kuykendall, Esq., is in need of protection of this Court from being called to hearings, trials or depositions from May 9, 2022 through June 3, 2022, as his wife scheduled to be induced to deliver a child on May 6, 2022.

IT FURTHER APPEARING TO THE COURT that Jeffrey William Kuykendall is counsel of record in the following cases in Charleston County Family Court, which do not have hearings or trials scheduled at the time of this Order:

- Brown Ancrum v. Berry, et. al, 2021-CP-10-2624*
- M4 Spartan, LLC v. Malecki, 2019-CP-10-3872*
- Murray v. Smith, 2021-CP-10-3327*
- Murray v. Smith, 2021-CP-10-4154*
- Carbucks of Carolina, Inc. v. Quinton Wright, 2020-CP-10-3588*
- Quicken Loans v. D. John Bernard LeBoeuf, 2022-CP-10-204*
- William McKinley v. United Solar, Inc., 2021-CP-10-5307*
- Carolyn Gilliard v. Alexander Andrew Flynn, et al., 2021-CP-10-4788*

IT IS THEREFORE ORDERED, that Jeffrey William Kuykendall, Esq. is granted protection of the Court from being called to any hearings or to try any cases in the Charleston County Family Court on the above referenced dates. This Order shall not apply to matters scheduled prior to the date of this Order.

AND IT IS SO ORDERED!

 Chief Administrative Judge
 Ninth Judicial Circuit

Charleston, South Carolina
 March _____, 2022



Charleston Common Pleas

Case Caption: Katrina Brown Ancrum VS Levy W Berry , defendant, et al

Case Number: 2021CP1002624

Type: Order/Protection from Court Appearance

So Ordered

s/Jennifer B. McCoy #2764



Jeffrey Kuykendall <jwkuykendall@jwklegal.com>

Murray v. Smith, 2020-CP-10-004154; Date of Hearing April 20, 2022

2 messages

Jeffrey Kuykendall <JWKuykendall@jwklegal.com>
To: transcripts@sccourts.org

Mon, Jun 6, 2022 at 1:06 PM

To Whom It May Concern,

On April 20, 2022, the above case was heard before the Honorable R. Markley Dennis, Jr., Circuit Court Judge, in Charleston County. The hearing took place on WebEx. Can you please provide the estimated cost to transcribe the transcript of these proceedings?

Respectfully,

Jeffrey W. Kuykendall**Attorney at Law**

127 King St., Ste. 208

Charleston, SC 29401

843.790.5182 (direct)

866.733.1909 (facsimile)

Jwkuykendall@jwklegal.com

Confidentiality Disclaimer: This email and any attachments are private communications sent by an attorney, and may contain confidential or legally privileged information meant solely for the intended recipient. If you are not the intended recipient, please notify the sender and delete this email. Thanks.

Jeffrey Kuykendall <JWKuykendall@jwklegal.com>
To: transcripts@sccourts.org

Mon, Jun 6, 2022 at 3:59 PM

Please find attached the Transcript Request form for the above-referenced matter. I appreciate your attention to this matter.

Sincerely,

Jeffrey W. Kuykendall**Attorney at Law**

127 King St., Ste. 208

Charleston, SC 29401

843.790.5182 (direct)

866.733.1909 (facsimile)

Jwkuykendall@jwklegal.com

Confidentiality Disclaimer: This email and any attachments are private communications sent by an attorney, and may contain confidential or legally privileged information meant solely for the intended recipient. If you are not the intended recipient, please notify the sender and delete this email. Thanks.

[Quoted text hidden]

**Transcript Request Form.pdf**

278K

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>Jeffrey W. Kuykendall</u> | Phone Number <u>843.790.5182</u> | Email Address <u>Jeff@jwklegal.com</u> | |
| Mailing Address <u>127 King St., Ste. 208</u> | City <u>Charleston</u> | State <u>SC</u> | Zip Code <u>29401</u> |
| Transcript Information | | | |
| Docket Number <u>2021-CP-10-004154</u> | Case Caption (i.e. State v. John Doe or Smith v. Smith) <u>Nicole Qunita Murray v. Linda P. Smith</u> | | |
| Date(s) of Proceeding <u>April 20, 2022</u> | Circuit <input checked="" type="checkbox"/> Family <input type="checkbox"/> | County <u>Charleston</u> | |
| Presiding Judge <u>R. Markley Dennis, Jr.</u> | Expedited Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> | | |
| Court Reporter(s) <u>WebEx</u> | Opposing Counsel <u>Jason Scott Luck, Esq.</u> | | |

Requestor's Signature: /s/ Jeffrey W. Kuykendall
(Typed name will serve as signature)

Date: June 6, 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 _____ |

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APPEAL FROM CHARLESTON COUNTY
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The Honorable R. Markley Dennis, Jr., Circuit Court Judge

Case No. 2021-CP-10-004154

Nicole Qunita Murray, Appellant,

v.

Linda P. Smith, Respondent.

PROOF OF SERVICE

The undersigned hereby certifies that he served counsel for the Respondent, Linda P. Smith, through its attorney, Jason Scott Luck, with a copy of the *Motion for Extension of Time to Order Transcript*, and a copy of the undersigned's correspondence with the court reporter order a transcript by emailing a copy to counsel for Respondent at the primary email address listed for counsel in the South Carolina Attorney Information System (AIS):

Jason@luck.law

/s/ Jeffrey W. Kuykendall

Jeffrey W. Kuykendall – Attorney at Law

At Charleston, South Carolina
This the 6th day of June, 2022

JEFFREY W. KUYKENDALL
ATTORNEY AT LAW

127 King St.
Suite 208
Charleston, SC 29401

Phone: 843.790.5182
Facsimile: 866.733.1909
Jwkuykendall@jwklegal.com

June 6, 2022

Via Email and U.S. Mail
Honorable Jenny A. Kitchings
Clerk of Court
South Carolina Court of Appeals
P.O. Box 11629
Columbia, SC 29211
ctappfilings@scccourts.org

RECEIVED
Jun 06 2022
SC Court of Appeals

Re: *Nicole Quinta Murray v. Linda P. Smith*
Charleston County Case No. 2021-CP-10-004154
Appellate Case No. 2022-000644

Dear Ms. Kitchings:

Enclosed please find a Motion of Extension of Time to Order Transcript, exhibits to the Motion for Extension of Time, and a copy of the correspondence with the court reporter in the underlying matter for filing in the above-referenced case. We have also enclosed the Proof of Service and the required \$50.00 filing fee. Thank you for your assistance in this matter.

Sincerely,



Jeffrey W. Kuykendall

Enclosures (as stated)

cc: Jason Scott Luck, Esq. (w/enclosures)