

Date : 6/23/2022 7:06:52 AM
From : "Paul Dulberg"
To : "Law Office Of Alphonse Talarico"
BCc : "Paul Dulberg" , "Tom Kost"
Subject : Re: Letter response by Clerk of Court
Dear Mr Talarico,

Below are just a few things about the letter;

As you know, I do not have access to the attorney Portal and cannot verify the clerks statement that the physical files from the 2012 law cases were destroyed without physically being present at the Clerks office and asking to inspect each and every case the clerk kept records of in 2012.
— Any ideas on how to verify the clerk destroyed all original files from all cases in 2012?
— Secondly, Why would the supreme courts policy apply to any original case file that is already on notice and pending a reopening based on the outcome of a new case that was filed years before the destruction of the original case file.

I noticed the story changed, when I was physically at the Clerks office and asked to inspect the originals the lady at the window said the original documents were destroyed in July of 2020 and this letter says June of 2020.

— I'd have to check but I believe COVID regulations on who could attend work were in full force at the beginning of June 2020 and don't believe destroying physical documents would have been considered an "essential job" at that time.

I noticed that Gazelle didn't fill out or sign the proof of service.

— Do we have a copy of the signed proof of service?

The clerk filed this letter in the record of the current case 17LA377 and not the underlying case 12LA178.

— I haven't looked to see if there are any statutory, SC Rules, or any other regulation saying this letter has to be filed but reason (I know the law is not about reason) would seem to follow that a letter from the clerk about destroying original case files should be in the electronic case file of the case that had the physical records destroyed along with the certification of the person guaranteeing that all the files were scanned in/digitized correctly.

Thank You,
Paul

On Jun 22, 2022, at 12:12 PM, Alphonse Talarico
<contact@lawofficeofalphonsetalarico.com> wrote:

Dear Mr. Dulberg,
This was on file as of today.

Please see the attached.

Thank you,

ALPHONSE A. TALARICO

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<Katherine M. Keefe Clerk of McHenry Court Letter to file regarding Subpoena
PrintHandler.pdf>