

[00:00:00.480] - Automated Attendant

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[00:01:51.690] - Automated Attendant

Wait while I transfer your call.

[00:02:01.560] - Terri, Jefferson Clerk Rep

Good afternoon, Circuit Civil. This is Terri. How can I help you?

[00:02:06.670] - Appellant

Yes, hi. Um, I just called a minute ago about an appeal. Um, I'm not sure if I spoke to you or not. Um, regarding, uh, how many copies— I need to ask how many copies should I include with my appeal?

[00:02:26.190] - Terri, Jefferson Clerk Rep

Evelyn, she wants to know how many copies did she include in her appeal? I don't know, because I don't know how many people there are. How many defendants do you have?

[00:02:50.160] - Appellant

So I'm the defendant, and then there's also a named party, but it's an appeal.

[00:02:54.000] - Terri, Jefferson Clerk Rep

Oh, you're a defendant and you're appealing this?

[00:02:57.380] - Appellant

Yeah.

[00:02:57.990] - Terri, Jefferson Clerk Rep

So is there other defendants in the case?

[00:03:01.010] - Appellant

No.

[00:03:01.800] - Terri, Jefferson Clerk Rep

Or just you?

[00:03:02.540] - Appellant

There's a named party. The county clerk is a named party. But do you—

[00:03:09.230] - Terri, Jefferson Clerk Rep

Maybe I'll look in there and see.

[00:03:10.630] - Appellant

Okay, I was going to ask, do you do the service to them, or do I still do that?

[00:03:17.850] - Terri, Jefferson Clerk Rep
Yeah, because she's at the courthouse.

[00:03:20.190] - Terri, Jefferson Clerk Rep
Hold on, I'm gonna send you to Evelyn. Hold on just a second.

[00:03:22.140] - Appellant
Okay.

[00:03:22.470] - Terri, Jefferson Clerk Rep
All right. Thank you.

[00:03:23.780] - Terri, Jefferson Clerk Rep
You're welcome.

[00:03:33.830] - Evelyn, Jefferson Clerk Rep
Jefferson Circuit Appeals. This is Evelyn.

[00:03:40.780] - Appellant
Yes, hi. Um, I'm calling about, um, The appeal, um, 26-CI-6104. I spoke with somebody there about it a moment ago, and I was just making sure I sent enough copies of my appeal.

[00:03:55.340] - Evelyn, Jefferson Clerk Rep
And who am I talking to?

[00:03:56.690] - Appellant
This is Gay Adelman.

[00:03:58.630] - Evelyn, Jefferson Clerk Rep
Okay, uh, now are you going to send the copies out Uh, to the other parties before it's filed here, or are you waiting until we do our stamping and so forth?

[00:04:18.110] - Appellant
I didn't realize I had any options. I was just going to mail everybody's at the same time.

[00:04:24.680] - Evelyn, Jefferson Clerk Rep
Well, I mean, uh, I think what, uh, you can do when you prepare your appeal— because you're gonna have on your appeal hopefully a certificate of service showing, uh, who all is going to get a copy of this. So I see that, uh, the other side, uh, has an attorney. So of course, uh, he'll be notified of this here. And, uh, I guess you are doing this pro se, is that correct?

[00:05:17.970] - Appellant
Yes, that is correct.

[00:05:19.980] - Evelyn, Jefferson Clerk Rep
Okay. Uh, now I would assume that you would also need to send a copy To the county clerk's office?

[00:05:31.160] - Appellant
Yes.

[00:05:32.850] - Evelyn, Jefferson Clerk Rep
On this here?

[00:05:33.590] - Appellant
Yes.

[00:05:34.540] - Evelyn, Jefferson Clerk Rep

So when you prepare this here, you can go ahead and notify them. You can go ahead and send them a copy of your notice of appeal, uh, to include, uh, the Court of Appeals. Okay, because when I receive the actual notice of appeal from you with payment, I will be sending a copy also to you and all the parties that are connected to this appeal because I have to add additional paperwork to what you filed.

[00:06:16.770] - Evelyn, Jefferson Clerk Rep

Okay?

[00:06:17.560] - Appellant

Okay. So how many copies should I send to you For you to do that?

[00:06:24.670] - Evelyn, Jefferson Clerk Rep

Well, now, uh, of course you have, uh, the original copy. You have yourself, you have the attorney for the plaintiff.

[00:06:39.290] - Appellant

I see.

[00:06:39.890] - Evelyn, Jefferson Clerk Rep

Okay. And you have, uh, Jefferson County Clerk's Office and the Court of Appeals. So that comes out to about 5 copies total, from what I can ascertain by looking at your case file.

[00:06:55.760] - Appellant

Okay. That is what I was calculating as well. But so does that mean, does that mean that I don't need to send them their own copies today, or should I still go ahead and do that?

[00:07:07.820] - Evelyn, Jefferson Clerk Rep

Now that is up to you.

[00:07:11.940] - Appellant

Is it? Okay.

[00:07:13.910] - Evelyn, Jefferson Clerk Rep

Yeah. Because like I say, Your appeal is not really official until I send it, but I, I actually do believe that you need to just send them a copy.

[00:07:28.530] - Appellant

Okay.

[00:07:29.820] - Evelyn, Jefferson Clerk Rep

Because anytime you do a filing with the court, you have to send a copy of whatever is being filed.

[00:07:40.530] - Appellant

Correct.

[00:07:41.270] - Evelyn, Jefferson Clerk Rep

It's just that the appeal itself will not become official until I send your paperwork showing payment to the Court of Appeals.

[00:07:53.790] - Appellant

Okay.

[00:07:54.180] - Evelyn, Jefferson Clerk Rep

But when you—

[00:07:55.400] - Automated Attendant
but when you do your paperwork, just go ahead and send everybody a copy.

[00:07:59.410] - Appellant
All right.

[00:07:59.850] - Evelyn, Jefferson Clerk Rep
Because your certificate of service is stating that you did.

[00:08:02.900] - Appellant
Exactly. Okay, perfect. That makes the most sense. Um, as well.

[00:08:08.520] - Evelyn, Jefferson Clerk Rep
Yeah. So, uh, and then when I get your paperwork You really only have to send me one copy, okay?
Because I'll make copies of what you send in from the original.

[00:08:25.160] - Appellant
Okay.

[00:08:26.130] - Evelyn, Jefferson Clerk Rep
Uh, so the only thing that I ask on this here is that you make sure that you clarify the order or orders that you are appealing in this case That you state in your certificate of service everyone who is to receive a copy of this here and that you attach a copy of the orders being appealed.

[00:08:59.970] - Appellant
Okay, so I got an opinion and an order from the judge, which I'm including. And then are you saying like the initial motion as well? What, what else are you saying?

[00:09:11.350] - Evelyn, Jefferson Clerk Rep
No, ma'am.

[00:09:11.520] - Appellant
No?

[00:09:11.600] - Evelyn, Jefferson Clerk Rep
Okay.

[00:09:13.540] - Appellant
That was it?

[00:09:14.490] - Evelyn, Jefferson Clerk Rep
Just, just the, uh, order.

[00:09:18.130] - Appellant
Okay. And then I have a couple of exhibits including a, um, a USB drive, but I'm gonna mail them the USB drive.

[00:09:26.830] - Evelyn, Jefferson Clerk Rep
That's— I mean, I don't know why you're including all of it right now.

[00:09:32.060] - Appellant
Oh,

[00:09:33.510] - Evelyn, Jefferson Clerk Rep
uh, I mean, let me, let me think on this here, okay?

[00:09:39.580] - Evelyn, Jefferson Clerk Rep

Uh, What's—what is— what is this that you're attaching to this here? What is— what is it?

[00:09:47.030] - Appellant

All of the previously filed court documents. Um, because

[00:09:51.040] - Evelyn, Jefferson Clerk Rep

You don't need to do that.

[00:09:52.420] - Appellant

No? Okay, really?

[00:09:54.180] - Evelyn, Jefferson Clerk Rep

No, because what's gonna happen in these types of cases, okay,

[00:10:02.440] - Appellant

Okay.

[00:10:02.600] - Evelyn, Jefferson Clerk Rep

These types of cases are— let me get my words together. But basically, any type of election cases, they call for information right away.

[00:10:18.510] - Appellant

Okay.

[00:10:20.360] - Evelyn, Jefferson Clerk Rep

Which I will already have the case file itself to send them. Now sometimes it'll be just abbreviated information that they won't need everything in the case file, but the Court of Appeals is going to send me an order stating exactly what they want me to send them, and, and generally that's within a 10-day span, I believe. As of the, uh, uh, notice filing date, it's, it's, it's pretty, uh, well, I can't get that word in my mind, but, um, it's, it's the, the whole appeal is accelerated. That's not the exact word, but—

[00:11:16.090] - Appellant

Yeah, expedited. I know what you're saying.

[00:11:18.600] - Evelyn, Jefferson Clerk Rep

Right, expedited. There we go.

[00:11:22.220] - Appellant

Okay, um, so I had included in one of my court filings, uh, some DVDs of a previous hearing, um, and so those were on a USB drive, but you're saying I don't— that's already been filed, so I don't need to file it again?

[00:11:40.550] - Evelyn, Jefferson Clerk Rep

If it's already in the case file, which I went through, uh, I went upstairs to the division to retrieve the case, uh, and so everything that has been filed, uh, again, it's going to depend upon what the Court of Appeals requests.

[00:12:08.480] - Appellant

Okay.

[00:12:10.120] - Evelyn, Jefferson Clerk Rep

Sometimes they only request certain documents related to this appeal. Other times they'll request the entire case, and if that is the, the case, then everything that has been filed, to include any thumb drives or CDs, will go.

[00:12:33.120] - Appellant

Okay, so it sounds like I'm just getting ahead of myself. I'm trying to make my entire case in this filing,

and you're saying I don't need to do that.

[00:12:42.000] - Evelyn, Jefferson Clerk Rep

Right. Now, because the Court of Appeals, when they receive this case, because I email it over to them once the, uh, notice of appeal is filed, they will in turn send me an order directing me what to do.

[00:12:59.240] - Appellant

Okay. So if I want—

[00:13:01.710] - Evelyn, Jefferson Clerk Rep

And requesting me exactly what I need to do. Either they will ask for the entire case or certain aspects of the case.

[00:13:09.340] - Appellant

Okay, well, I had printed out like statutes, what KRS actually says, so that they can read what I'm referring to in my appeal, um, as an exhibit, I guess. So these are exhibits. Is that adequate, or are you— I can just print those? I don't need to— I can include them with my paperwork. I don't need to put them on a DVD.

[00:13:31.440] - Evelyn, Jefferson Clerk Rep

I would— I mean, how extensive are these exhibits as far as page number?

[00:13:37.890] - Appellant

You know, if I'm not doing all those historical filings, it's not that much stuff. It's maybe four. Four pages.

[00:13:46.950] - Evelyn, Jefferson Clerk Rep

Okay. Because if this is a repeat of what is already filed in the physical case, I don't think it's necessary to include that again.

[00:14:00.780] - Appellant

Right. And that's what I was putting on a DVD or a USB, but you're saying that you'll take care of that if they ask for it, so I don't even need to do that,

[00:14:10.600] - Evelyn, Jefferson Clerk Rep

Right. Uh.

[00:14:11.160] - Appellant

Okay. All right. Well then,

[00:14:14.560] - Evelyn, Jefferson Clerk Rep

Because, uh, you know, anytime that they get a notice of appeal, they don't know what's filed. You know, that's where the, the certification falls into play. And so, uh, I have to certify whatever it is that they request from me, whether it be an abbreviated part of the case or the entire case file. So everything there is going to be listed, and every party is going to get a copy of that certification stating what is included.

[00:14:56.910] - Appellant

Okay.

[00:14:58.600] - Evelyn, Jefferson Clerk Rep

Now, at that point if there's anything missing from that, that's where you can, um, get with me and say, you know, I don't see this on the certification, uh, could you, uh, amend it? And then of course I would amend it and send it on. But, uh, right now it's really too soon to say what's going to happen because my next move, simply waiting for the Court of Appeals to send me an order stating me— telling me what to do.

[00:15:36.270] - Appellant

Okay, that helps quite a bit. Um, so I think I, I think I understand, and I will get this off to you. Thank you very much for your help.

[00:15:45.640] - Evelyn, Jefferson Clerk Rep

Uh, okay then. All right, all right, we'll be looking for it.

[00:15:50.210] - Evelyn, Jefferson Clerk Rep

All right, bye-bye.

[00:15:51.900] - Appellant

You too, bye-bye.

[00:15:52.950]

Yes. Did you get a package for me?

[00:16:11.400] - Terri, Jefferson Clerk Rep

Yes, it's on the kitchen counter, I believe.

[00:16:13.410]

Oh my, oh my.

[00:16:15.950] - Appellant

Don't talk, please. We got to go. Everything's changing on me in real time. It's not helping.

[00:16:40.060] - Appellant

I don't have enough counter space. I'm drowning here.

[00:17:03.430] - Appellant

I'm drowning here.