

4cca-30

REV. 04/09/06

TRANSMITTAL SHEET  
(Notice of Appellate Action)

<input checked="" type="checkbox"/> Notice of Filing <input type="checkbox"/> Cross Appeal <input type="checkbox"/> Interlocutory Appeal <input type="checkbox"/> Additional NOA <input type="checkbox"/> Amended NOA <input type="checkbox"/> Transmittal of Record <input type="checkbox"/> Transmittal of Cert. <input type="checkbox"/> Supplement to ROA <input type="checkbox"/> Supplemental Cert.. <input type="checkbox"/> Other _____	UNITED STATES DISTRICT COURT for the DISTRICT OF SOUTH CAROLINA at GREENVILLE Caption: BidZirk, LLC, et. Al., plaintiff, vs. Phillip J. Smith, defendant.	District Court No.: <u>6:06-cv-0109-HMH-WMC</u> 4CCA No.: _____ Consolidated with No.: _____ Case Mgr.: _____
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**Part I**

Notice of appeal is enclosed to all parties (except to appellant in civil cases); NOA, docket entries, district court opinion and order, and magistrate judge's recommendation (if applicable) are enclosed to 4CCA.

1. NOA filed: 4/21/0	4. Fees: _____ USA (fee not required) \$5 filing fee: _____ paid _____ unpaid \$455 docket fee: <input checked="" type="checkbox"/> paid _____ unpaid Pauper Status: _____ granted _____ denied _____ pending in dist. Ct. Does PLRA Apply? _____ Yes _____ No 3-Strikes? _____ Yes _____ No [If PLRA applies, 4CCA sends forms & acts on application]
2. Amended NOA filed:	
3. District Judge: Herlong	5. Materials under Seal in District Court: Yes _____ No _____ Party Names Under Seal in District Court: Yes _____ No _____
6. Official Court Reporter(s):  Contract Court Reporter:  Coordinator: <i>Janet Woodward, 803-253-3198</i>	7. Transcript In-Court Hearing Held: Yes _____ No _____ 8. Criminal/Prisoner Cases _____ recalcitrant witness Defendant's Address: _____ on death row _____ in custody _____ on bond _____ on probation

**Part II**

TRANSMITTAL OF RECORD TO COURT OF APPEALS

ORIGINAL RECORD Pleadings: Vols. _____ Transcripts: Vols. _____ Exhibits: Vols. _____ Depositions: Vols. _____ State Ct. Record: Vols. _____ Sealed: Vols. _____ No. of Boxes: _____	SUPPLEMENT TO RECORD — SUPPLEMENT # _____ Pleadings: Vols. _____ Transcripts: Vols. _____ Exhibits: Vols. _____ Depositions: Vols. _____ State Ct. Record: Vols. _____ Sealed: Vols. _____ No. of Boxes: _____
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Deputy Clerk Jackie Thomas

Phone: 864-241-2751

Date: April 24, 2006