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SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM GEORGETOWN COUNTY
Court of Common Pleas

The Honorable Benjamin H. Culbertson, Circuit Court Judge

Appellate Case No. 2022-000017
Civil Action No. 2021-CP-22-00605

Joseph N. Grate,..... Appellant,

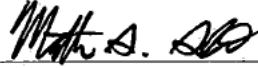
v.

Christopher Douglas Brown,..... Respondents.

RESPONDENT’S MOTION TO DISMISS APPEAL

The Respondent, Christopher Douglas Brown, by and through his undersigned counsel and pursuant to Rules 210(c), 240, and 260(a), SCACR, hereby moves to dismiss the appeal. This motion is made on the grounds that the Appellant has failed to include in the Record on Appeal “all matter designated to be included by any party under Rule 209” as required by Rule 210(c). As Respondent’s counsel previously informed the court and the Appellant by letter, the Record on Appeal does not contain the sole document identified in the Respondents’ Designation of Matter to Be Included in the Record on Appeal. That document was identified as follows: “Letter from Georgetown Central Jury Court signed by Magistrate Jury Clerk Tanya Cumby and filed by the Georgetown County Clerk of Court on October 21, 2021.” Accordingly, the appeal should be dismissed pursuant to Rule

260(a), which provides: “Whenever it appears that an appellant or a petitioner has failed to comply with the requirements of these Rules, the clerk shall issue an order of dismissal[.]”



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Attorneys for the Respondent

July 26, 2022

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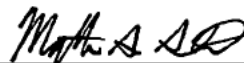
v.

Christopher Douglas Brown, Respondents.

PROOF OF SERVICE

I, the undersigned, do hereby state that I have on July 26, 2022 served a copy of **RESPONDENT'S MOTION TO DISMISS APPEAL** upon the Appellant, *pro se*, by depositing a copy of the documents in the United States Mail, first class, sufficient postage prepaid, with the return address(es) clearly noted, addressed as follows:

Joseph N. Grate
P.O. Box 1294
Pawley's Island, SC 29585


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ATTORNEYS AT LAW

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† CERTIFIED SPECIALIST
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(1917-1995)
JAMES W. ALFORD
(1930-2008)

July 26, 2022

South Carolina Court of Appeals
Post Office Box 11629
Columbia, SC 29211

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SC Court of Appeals

Re: Joseph N. Grate v. Christopher Douglas Brown
Appellate Case No. 2022-000017
BASJ File No. 217.22536

Dear Sir or Madam:

Enclosed please find originals of Respondent's Motion to Dismiss Appeal and a Proof of Service in this case. Copies of these documents were previously filed via email.

Also enclosed is a check for \$50.00 covering the filing fees for the motion.

With best regards, I am

Very truly yours,

Matthew G. Gerrald

MGG/tas
Enclosures

cc: Joseph N. Grate

MATTHEW G. GERRALD

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SC Court of Appeals

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