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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 REPLY TO APPELLANT’S
OBJECTION TO MOTION TO DISMISS**

In his Objection to the Appellant’s Motion to Dismiss, the Appellant attempts to shift the blame for his failure to comply with Rule 210(c), SCACR.

First, the Appellant claims that he has no knowledge of the sole document listed in the Respondents’ Designation of Matter to Be Included in the Record on Appeal—identified as “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”—and that he does not have a copy of the document. Yet as shown in the image below, the document is part of the Circuit Court record and thus publicly available to anyone in the world with a computer and an internet connection.



Georgetown County Fifteenth Judicial Circuit Public Index



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Switch View					
Joseph N Grate VS Christopher Douglas Brown					
Case Number:	2021CP2200605	Court Agency:	Common Pleas	Filed Date:	07/21/2021
Case Type:	Appeal	Case Sub Type:	Magistrate Civil 910	File Type:	Non-Jury
Status:	Appeal	Assigned Judge:	Clerk Of Court C P, G S, And Family Court		
Disposition:	Ended by Non Jury	Disposition Date:	12/09/2021	Disposition Judge:	Culbertson, Benjamin H.
Original Source Doc:		Original Case #:			
Judgment Number:		Court Roster:			

Case Parties	Judgments	Tax Map Information	Associated Cases	Actions	Financials	
Name	Description	Type	Motion Roster	Begin Date	Completion Date	Documents
Grate, Joseph N	Appeal/Notice of Appeal	Filing		01/24/2022-08:15		
Grate, Joseph N	Service/Proof Of Service	Filing		12/21/2021-13:13		
Grate, Joseph N	Motion/Motion for Leave to Refile/Pro Se	Filing		12/21/2021-13:13		
Grate, Joseph N	NEF(12-09-2021 11:51:36 AM) Order/Electronic Form 4	Filing		12/09/2021-11:59		
Grate, Joseph N	Order/Electronic Form 4/See Form 4	Order		12/09/2021-11:51	12/09/2021-11:51	
Grate, Joseph N	12/9/2021_MOTION_Roster/Notice of Case Roster Publication Se	Action		12/01/2021-09:44	12/09/2021-09:44	
Grate, Joseph N	12/9/2021_MOTION_Roster/Notice of Case Roster Publication Se	Action		12/01/2021-09:44	12/09/2021-09:44	
Thomas, Richard Carson	12/9/2021_MOTION_Roster/Notice of Case Roster Publication Se	Action		12/01/2021-09:44	12/09/2021-09:44	
Thomas, Richard Carson	12/9/2021_MOTION_Roster/Notice of Case Roster Publication Se	Action		12/01/2021-09:44	12/09/2021-09:44	
Grate, Joseph N	Motion/Recusal/Pro Se	Motion		11/01/2021-14:52	12/09/2021-14:52	
Grate, Joseph N	12/9/2021_MOTION_Roster/Notice of Case Roster Publication Se	Action		10/25/2021-16:40	12/09/2021-16:40	
Grate, Joseph N	12/9/2021_MOTION_Roster/Notice of Case Roster Publication Se	Action		10/25/2021-16:40	12/09/2021-16:40	
Thomas, Richard Carson	12/9/2021_MOTION_Roster/Notice of Case Roster Publication Se	Action		10/25/2021-16:40	12/09/2021-16:40	
Thomas, Richard Carson	12/9/2021_MOTION_Roster/Notice of Case Roster Publication Se	Action		10/25/2021-16:40	12/09/2021-16:40	
Grate, Joseph N	Letter/Central Jury Court/Did Not Receive Notice of Appeal	Filing		10/21/2021-09:48	12/09/2021-09:58	
Grate, Joseph N	Appeal/Notice of Civil Appeal (Workflow)	Action		07/31/2021-15:51	12/09/2021-15:51	

Second, the Appellant claims that he has repeatedly requested the document from the Respondent. However, prior to filing his objection, the Appellant has never indicated that he is unaware of the document, requested a copy of the document from the Respondent, or otherwise communicated with counsel for the Respondent regarding the document. In any event, and as a courtesy to the Appellant, a copy of the document is enclosed herewith.

The Respondent reiterates his request that this appeal be dismissed unless the Appellant immediately and properly amends or supplements the Record on Appeal.



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Attorneys for the Respondent

August 3, 2022

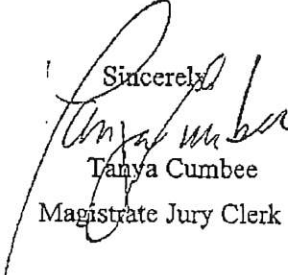
333 CLELAND ST.
GEORGETOWN, SC. 29440
843-545-3383
843-545-3394

**GEORGETOWN
CENTRAL JURY
COURT**

To whom it may concern:

Central Jury Court have not received any notice of appeal for case 2021CV221070017 Joseph N. Grate VS Christopher D. Brown from June 2021 when the case was disposed until this present date.

Do not hesitate to contact me at either number above for any questions or concerns.

Sincerely,

Tanya Cumbee
Magistrate Jury Clerk

ALMA Y. WHITE
CLERK OF COURT

2021 OCT 21 AM 9:48

FILED
GEORGETOWN COUNTY, SC

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PROOF OF SERVICE

I, the undersigned, do hereby state that I have on August 3, 2022 served a copy of **RESPONDENT'S REPLY TO APPELLANT'S OBJECTION TO MOTION TO DISMISS** upon the Appellant, *pro se*, by depositing a copy of the document 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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