

THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

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AUG 05 2022

APPEAL FROM GEORGETOWN COUNTY SC Court of Appeals  
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**

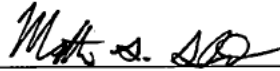
[Georgetown County Home Page](#) [South Carolina Judicial Department Home Page](#) [SC.GOV Home Page](#)

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

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		01/24/2022-09:15			
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/Certification 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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Richard C. Thomas, S.C. Bar No. 5533  
Matthew G. Gerrald, S.C. Bar No. 76236  
Barnes, Alford, Stork & Johnson, LLP  
1613 Main Street (29201)  
Post Office Box 8448  
Columbia, SC 29202  
(803) 799-1111  
Attorneys for the Respondent

August 3, 2022

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

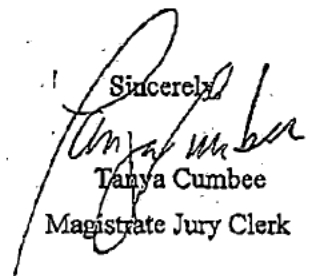
**GEORGETOWN  
CENTRAL JURY  
COURT**

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 COURTS

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**SC Court of Appeals**

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Civil Action No. 2021-CP-22-00605

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

v.

Christopher Douglas Brown,..... Respondents.

**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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DAVID G. WOLFF  
KAY GAFFNEY CROWE \*  
ALAN J. REYNER †  
RICHARD C. THOMAS  
ROBERT T. STRICKLAND  
CURTIS W. DOWLING  
MATTHEW G. GERRALD  
EMILY COLLINS BROWN  
JEFFREY D. HOPKINS \*\*  
CREASIE PARROTT SCHLACHTER \*\*  
JOSHUA G. HILL



# BARNES ALFORD

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ATTORNEYS AT LAW

OF COUNSEL  
WILLIAM C. STORK  
ROGER A. WAY, JR.  
\* CERTIFIED CIVIL  
COURT MEDIATOR  
† CERTIFIED SPECIALIST  
IN TAXATION  
\*\* ALSO ADMITTED IN  
NORTH CAROLINA  
RUDOLPH C. BARNES  
(1917-1995)  
JAMES W. ALFORD  
(1930-2008)

August 3, 2022

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

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

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SC Court of Appeals

Dear Sir or Madam:

Enclosed please find the original of Respondent's Reply to Appellant's Objection to Motion to Dismiss and a Proof of Service in this case. Copies of these documents were previously filed via email.

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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COLUMBIA SC 29201

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SC Court of Appeals

29211-162929

