

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM GEORGETOWN COUNTY
Court of Common Pleas

Benjamin H. Culbertson, Circuit Court Judge

Case Number: 2022-000017

Joseph N. Grate,

Appellant,

v.

Christopher Douglas Brown,

Respondent.

**AFFIDAVIT SUPPORTING
SUPPLEMENTAL
RECORD ON APPEAL**

Appellant / Affiant for his affidavit makes the following statements:

The Court has, "after careful consideration", ordered that the Supplemental Record on Appeal shall only include the one designated matter 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."

Therefore, this is in response to the "after careful consideration" or very considerate collusion? First of all, given that Respondent never made any presentment in the lower court regarding the letter at issue, it was never a part of the proceedings, per Rule 210 (c), SCACR.

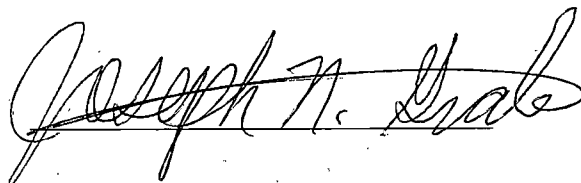
RECEIVED
OCT 17 2022
SC Court of Appeals

Given that the Court is not accepting of the motion to amend the Record by allowing the cited letter, as well as the rejected letter to the lower court, Appellant withdraws his motion to amend the Record. Additionally, since the disputed letter at issue was not timely submitted for inclusion in the Record, that also makes it ineligible for submission. The supplementation was only to accommodate Respondent, but Appellant is in no way legally obligated to supplement the record. Therefore, if the court is going to insist in this hatchet job of admitting the letter but not allowing the associated undelivered letter, the one that went unclaimed by the Court, Appellant withdraws his Motion to Supplement the Record.

The court can choose to indicate its position as to careful consideration or collusion, by way of its actions. After no matter how much time of consideration, time still will not render this decision to be in compliance with the Rules and the stench of collusion will not dissipate.

Therefore, Appellant is submitting the Supplement to the Record conforming to the Court Order but also submitting a Supplement to the Record that conforms more closely with Justice, to the extent defined by the Rules.

October 12, 2022

A handwritten signature in cursive script, reading "Joseph N. Grate". The signature is written in black ink and is positioned above the typed name and contact information.

Joseph N. Grate, Pro Se
P.O. Box 1294
Pawley's Island, S.C. 29585
(843) 742-0696

RECEIVED

OCT 17 2022

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM GEORGETOWN COUNTY
Court of Common Pleas

Benjamin H. Culbertson, Circuit Court Judge

Appellate Case No. 2022-000017

Joseph N. Grate,

Appellant.

v.

Christopher Douglas Brown,

Respondent,

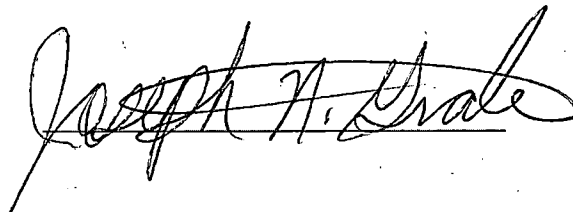
PROOF OF SERVICE

Appellant herein, certifies that a copy of his reply to the Court's Order of September 28, 2022, was sent via certified U.S. Mail, TO:

Other Counsel of Record
Richard C. Thomas, Esq.,
Matthew G. Gerald, Esq.
1613 Main Street
P.O. Box 8448
Columbia, S.C. 29202

7022 0410 0000 3643 7621

October 12, 2022



Joseph N. Grate, Pro Se
P.O. Box 1294
Pawley's Island, S.C. 29585
(843) 742-0696

RECEIVED

OCT 17 2022

SC Court of Appeals

Honorable, Jenny Abbott Kitchings
Clerk of Court,
South Carolina Court of Appeals
P.O. Box 11629
Columbia, SC 29211

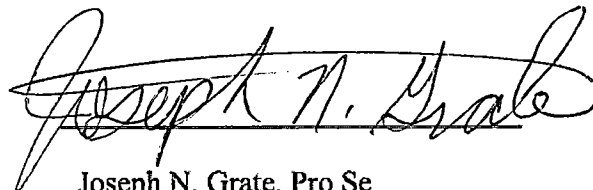
**RE: Joseph N. Grate, Appellant, v. Christopher Douglas Brown, Respondent.
Case Number: 22 – 000017**

Dear Madam Clerk:

Submitted herewith, is my response, consisting of the Supplemental Record Item and an associated Affidavit, in response to the Court's Order of September 28, 2022.

Sincerely,

October 12, 2022



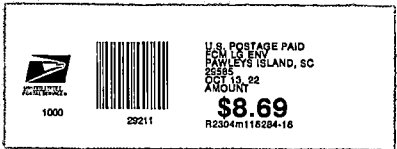
Joseph N. Grate, Pro Se
P.O. Box 1294
Pawley's Island, S.C. 29585
(843) 742-0696

Via: U.S. Certified Mail
cc: Other Counsel of Record
Richard C. Thomas, Esq.
Matthew G. Gerrald, Esq.
1613 Main Street
P.O. Box 8448
Columbia, S.C. 29202
803-799-1111

JOSEPH
P. O. #
PAWLEY'S ISLAND
S.C. 29585

LN 18/15

CERTIFIED MAIL



RECEIVED
OCT 17 2022
SC Court of Appeals

S.C. COURT OF APPEALS
P.O. BOX 11629
COLUMBIA, S.C. 29211

RETURN RECEIPT
REQUESTED

S 10/17