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SC Court of Appeals

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October 19, 2022

VIA EMAIL (CTAPPFILINGS@SCCOURTS.ORG)

The Honorable Jenny Abbott Kitchings
Clerk, South Carolina Court of Appeals
1220 Senate Street
Columbia, South Carolina 29201

Re: Corrections to Record on Appeal in *Allen L. Murray, et al. v. Newberry County, South Carolina*
Appellate Case No. 2022-000276
HSB File No. 03657.0074

Dear Ms. Kitchings:

I have received and reviewed the Record on Appeal, filed and served by counsel for the Appellant on October 3, 2022. I have just noticed the omission of two exhibits in that Record. As explained below, I do not believe that any supplementation to the Record is necessary.

Item 19 of the Record was, as indicated on the Index to the Record, to be “Respondent’s Final Dispositive Motions dated March 3, 2021 (with exhibits)”. It had five exhibits. Exhibit 2 appears at ROA 000576. That Exhibit 2 had, in turn, two sub-exhibits; but those sub-exhibits are not reproduced in the Record at Item 19.

However, that Exhibit 2 for Item 19 was also Exhibit 2 for Item 11 in the Record (“Respondent’s Motion to Make More Definite and Certain filed January 4, 2019 (with exhibits).”) Exhibit 2 to Item 11 appears at ROA 000073. It is there correctly followed by the two sub-exhibits, on pages ROA 000074 through 000204.

Because the missing material appears elsewhere in the Record and because the Record makes clear (at ROA 000573) that Exhibit 2 to Item 19 is the same as Exhibit 2 to Item 11, I do not believe that there is any need to supplement the record by duplicated material. Please advise if you think otherwise.

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In addition, the Index has two minor errors. First, the Index describes Item 3 as an “Order of the Honorable Walton J. McLeod dated November 25, 2020.” In fact, the Judge who issued that Order was the Honorable R. Lawton McIntosh. The actual Order included in the Record is the correct one.

Second, the phrase “(with Appendix A)” appears at the end of the description of Item 12 in the Index. That phrase should actually appear at the end of the description of Item 13. Again, the actual material in the Index is as it should be.

I do not believe that these two Index issues require any correction or re-submission, but would again appreciate your advice if you think otherwise.

Thank you for your attention to this matter. If you have any questions, please call.

With best regards, I remain

yours truly,



Steve A. Matthews
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