

# The South Carolina Court of Appeals

Steven Michael Okun, as Personal Representative of the  
Estate of Jane Luanne Okun, Respondent,

v.

Pobuckra Properties, LLC, and Alliance Commercial  
Property Management, Inc., Appellants.

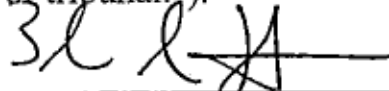
Appellate Case No. 2023-000063

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## ORDER

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On May 15, 2023, Respondent filed its designation of matter, which included "Deposition of David Teems September 27, 2022." On June 28, 2023, Appellant filed a motion to strike the deposition of David Teems from Respondent's designation of matter because the deposition was not presented to the trial court. On July 3, 2023, Respondent filed its return, agreeing that the deposition was not presented to the trial court, but arguing that the parties referred to the deposition during their oral presentations. After careful consideration, we grant Appellant's motion to strike the deposition of David Teems from Respondent's designation of matter. *See* Rule 210(c), SCACR ("The Record shall not, however, include matter which was not presented to the lower court or tribunal.").



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FOR THE COURT

Columbia, South Carolina

cc:

Diane Summers Clarke, II, Esquire

Gene McCain Connell, Jr., Esquire

M. Dawes Cooke, Jr., Esquire

Agelo L. Reppas, Esquire

Colleen P. Sorensen, Esquire

**FILED**  
**Jul 11 2023**