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Jul 13 2023

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
South Carolina Court of Appeals

APPEAL FROM BEAUFORT COUNTY
Court of Common Pleas

Honorable Marvin H. Dukes, III, Master-In-Equity

Case No.: 2022-CP-07-00967

Rachel M. Polite a/k/a Rachel Chaplin..... Respondent

v.

Karen P. PoliteAppellant

RETURN TO APPELLANT’S “REPLY TO RESPONDENT [SIC] FINAL BRIEF”

Respondent filed and served on Appellant her Final Brief on July 10, 2023. On July 11, 2023 Appellant filed a document purported to be a “Reply to Respondent [sic] Final Brief” which the Clerk, in her letter of July 12, 2023, indicated would be treated as a “motion to strike”. This Return is filed to respond to Appellant’s, “motion to strike”.

First, Appellant claims that Respondent’s Final Brief is not identical to her Initial Brief. Rule 211(b) provides that the final briefs must be identical except (1) references may be revised in place of or in addition to the initial references, and (2) typographical errors. Respondent did not revise her brief inconsistent with this rule and Appellant has shown nothing to the contrary that she did.

Second, Appellant asks the court to continue the appeal without consideration of Respondent’s Final Brief “which was initially do [sic] by (June 29, 2023) including 10 days to act according to Rule 211(b) (2)”[.] All Final Briefs were originally due by June 29, 2023 as indicated by the Clerk’s letter of May 19, 2023. Exhibit A. However, Rule 211(a) states that “...each party shall serve a copy of his final brief(s)...” within twenty (20) days after service of the Record on Appeal. Appellant filed the Record on Appeal on June 21, 2023. See Proof of Service, Exhibit B. Twenty days from June 21, 2023 is July 11, 2023. Respondent’s Final Brief was timely filed under the Appellate Court Rules of Procedure on July 10, 2023.

Respondent respectfully asks this Honorable Court to deny Appellant’s “motion to strike” filed July 11, 2023.

Beaufort County, South Carolina
13th day of July, 2023

Karen P. Polite
P.O. Box 213
St, Helena Island, SC 29920
(843)321-3722
Appellant Karen P. Polite, Pro-se

EVERSOLE LAW FIRM, P.C.



By: _____
Alysoun M. Eversole, SC Bar #0068011
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Attorney for Respondent Rachel Polite



The South Carolina Court of Appeals

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CLERK

CATHERINE S. HARRISON
DEPUTY CLERK

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May 19, 2023

Karen P. Polite
P.O. Box 213
Saint Helena Island SC 29920

Ms. Alysoun M Eversole, Esquire
1509 King Street
Beaufort SC 29902

Re: Rachel Polite v. Karen Polite
Appellate Case No. 2022-000967

Dear Counsel, and Ms. Polite:

The Court has received the appellant's withdrawal of the motion to amend the initial brief of respondent and designation of matter to be included in the record on appeal. Therefore, no action will be taken on the motion to amend. The record on appeal is due to be served and filed within thirty (30) days of the date of this letter.

Very truly yours,

A handwritten signature in blue ink that reads "Catherine Harrison, deputy".

CLERK



THE STATE OF SOUTH CAROLINA

In The Court of Appeals

APPEAL FROM BEAUFORT COUNTY

Court of Common Pleas

Marvin H. Dukes, Circuit Court Judge

Case No. 2022-CP-07-000967

Rachel M. Polite A/K/A
Rachel Chaplin

Respondent,

v.

Karen P. Polite

Appellant.

PROOF OF SERVICE

I certify that I have Served Copies Of The Record On Appeal of the April 11, 2022 Trial, This Notice of service to Attorney of record, for Rachel M. Polite here by, served by depositing of it in the United States Mail, postage prepaid, on June 21, 2023 and or Hand delivered to the office addressed to her Attorney of record, Alysoun M. Eversole at, 1509 King St. Beaufort, South Carolina 29902 [by personally delivering a copy of it to her Attorney of record,

s/ Karen P. Polite
Karen P. Polite
Post Office Box 213 ,St. Helena
South Carolina 29920
(843) 321-3722
Pro.se Karen Polite

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APPEAL FROM BEAUFORT COUNTY
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Case No.: 2022-CP-07-00967

Rachel M. Polite a/k/a Rachel Chaplin..... Respondent

v.

Karen P. PoliteAppellant

PROOF OF SERVICE

The undersigned counsel hereby certifies that she has served the foregoing **Return to Appellant’s “Reply to Respondent [sic] Final Brief”** upon Appellant, Pro-se by affixing same with proper postage and placing same with the United States Postal Service on the 13th day of July, 2023 addressed to the following:

Karen P. Polite
P.O. Box 213
St. Helena Island, SC 29920
(843)321-3722
Appellant Karen P. Polite, Pro-se

EVERSOLE LAW FIRM, P.C.

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