

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

APPEAL FROM AIKEN COUNTY  
Court of Common Pleas

Doyet A. Early, III, Circuit Court Judge

Case Number: 2012-CP-02-00392

RECEIVED  
JUL 03 2013  
SC COURT OF APPEALS

Marsha Temples..... Appellant


v.

Neil O. Plush..... Respondent

**APPELLANT'S RETURN TO RESPONDENT'S REPLY IN SUPPORT OF ITS  
MOTION TO STRIKE**

Respondent in her reply for the first time raises the issue that the documents set forth in Appellant's designation of matter to be included in the record on appeal are not the actual subpoenas that were issued but the letter referencing those subpoenas. Therefore Appellant herewith attaches for filing an Amended Designation of Matter to be included in the Record on Appeal which sets forth the subpoenas in issue. The only reason Appellant only referred to the letter was that it would clearly save expense and would reduce the size of the record on appeal.

7/1, 2013

  
JOHN W. CARRIGG JR.  
137 E. Butler Street, Suite 6  
Lexington, South Carolina 29072  
Telephone: (803) 785-5511  
Attorney for Appellant

Other Counsel of Record:  
Sonja R. Tate, Esquire  
Fulcher Hagler, LLP  
Post Office Box 1477  
Augusta, Georgia 30903  
Attorney for Respondent

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

APPEAL FROM AIKEN COUNTY  
Court of Common Pleas

Doyet A. Early, III, Circuit Court Judge

Case Number: 2012-CP-02-00392

Marsha Temples..... Appellant

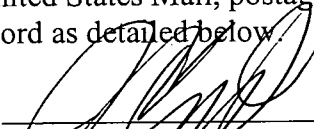
v.

Neil O. Plush..... Respondent

PROOF OF SERVICE

I certify that I have served Appellant's Return to Respondent's Reply In Support of its Motion to Strike by depositing a copy of it in the United States Mail, postage prepaid, on June 21, 2013, addressed to Respondent's attorney of record as detailed below.

July 1, 2013

  
John Carrigg  
137 E. Butler Street, Suite 6  
Lexington, South Carolina 29072  
(803) 785-5511  
Attorney for Appellant

Other Counsel of Record:

Sonya R. Tate, Esquire  
Fulcher Hagler, LLP  
Post Office Box 1477  
Augusta, Georgia 30903-1477  
Attorney for Respondent

RECEIVED

JUL 03 2013

SC Court of Appeals

# JOHN CARRIGG

ATTORNEY AT LAW

PHONE: (803) 785-5511

137 E. BUTLER STREET, SUITE 6  
LEXINGTON, SOUTH CAROLINA 29072

FAX: (803) 785-5513

JCARRIGG@CARRIGGLAW.COM

July 1, 2013

The Honorable Jenny A. Kitchings, Clerk of Court  
South Carolina Court of Appeals  
Post Office Box 11629  
Columbia, South Carolina 29211

RE: Marsha Temples v. Neil O. Plush  
Civil Action No.: 2012-CP-02-00392

Dear Ms. Kitchings:

Enclosed for filing, please find the original and six (6) copies of the Amended Appellant's Designation of Matter To Be Included in the Record On Appeal and the original and six (6) copies of Appellant's Return to Respondent's Reply in Support of Its Motion to Strike. Please file the originals and return the clocked copies to our office in the self-addressed, postage prepaid envelope that I have provided for your convenience.

By copy of this letter I am serving same on the Respondent's counsel of record. Thank you for your assistance in this matter.

With highest regards, I remain

Very truly yours,

  
JOHN W. CARRIGG, JR.

JWC,jr./adr  
Enclosure(s)

cc: Sonja R. Tate, Attorney at Law

**RECEIVED**

JUL 03 2013

**SC Court of Appeals**

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

---

APPEAL FROM AIKEN COUNTY  
Court of Common Pleas

Doyet A. Early, III, Circuit Court Judge

---

Case Number: 2012-CP-02-00392

---

Marsha Temples.....Appellant

v.

Neil O. Plush.....Respondent

---

**AMENDED APPELLANTS' DESIGNATION OF MATTER  
TO BE INCLUDED IN THE RECORD ON APPEAL**


---

The Appellant, Marsha Temples, propose that the following be included in the Record on Appeal:

1. Summons and Complaint
2. Answer of Respondent
3. Consent Order entered on August 24, 2007
4. Covenant Not to Execute dated September 12, 2007
5. Notice of Appearance
6. Letter dated February 26, 2009
7. Subpoenas issued on February 26, 2009 by Aiken County Court of Common Pleas
8. Motion to Restore Case to Docket

9. Order dated February 14, 2012 restoring case to docket
10. Respondents Motion to Dismiss filed March 13, 2012
11. Transcript of hearing before Judge Early dated April 9, 2012
12. Order Granting Respondents Motion to Dismiss dated June 19, 2012
13. Appellants Motion for Reconsideration dated July 2, 2012
14. Order denying Motion for Reconsideration entered on July 16, 2012

I certify that this designation contains no matter which is irrelevant to this appeal.



---

JOHN W. CARRIGG, JR.  
137 E. Butler Street, Suite 6  
Lexington, South Carolina 29072  
Telephone: (803) 785-5511  
Facsimile: (803) 785-5513

ATTORNEY FOR APPELLANT

Other Counsel of Record  
Sonja R. Tate, Esquire  
Fulcher Hagle, LLP  
Post Office Box 1477  
Augusta, GA 30093  
Attorney for Respondent

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

APPEAL FROM AIKEN COUNTY  
Court of Common Pleas

Doyet A. Early, III, Circuit Court Judge

Case Number: 2012-CP-02-00392

Marsha Temples..... Appellant

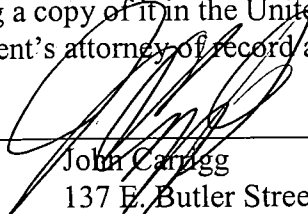
v.

Neil O. Plush..... Respondent

PROOF OF SERVICE

I certify that I have served the Amended Appellant's Designation of Matter To Be Included in the Record on Appeal by depositing a copy of it in the United States Mail, postage prepaid, on July 1, 2013, addressed to Respondent's attorney of record as detailed below.

July 1, 2013

  
\_\_\_\_\_  
John Carrigg  
137 E. Butler Street, Suite 6  
Lexington, South Carolina 29072  
(803) 785-5511  
Attorney for Appellant

Other Counsel of Record:

Sonya R. Tate, Esquire  
Fulcher Hagler, LLP  
Post Office Box 1477  
Augusta, Georgia 30903-1477  
Attorney for Respondent