

The South Carolina Court of Appeals

Jack Kelly, Appellant,

v.

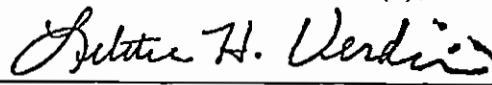
Roger D. Cox, Cox Millwork & Supply Inc., Waterside
Drive Boat Ramp, LLC and Cox Properties, LLC,
Respondents.

Appellate Case No. 2023-000289

ORDER

On May 23, 2023, Respondents filed a motion to dismiss this appeal because Appellant failed to contemporaneously furnish the clerk of this court and all parties with copies of all correspondence with the court reporter as required by Rule 207(a)(1) of the South Carolina Appellate Court Rules. Appellant filed a return opposing the motion to dismiss. After careful consideration, we deny the motion to dismiss.

On June 29, 2023, Appellant filed a "motion seeking clarification of Respondents' designation of matter." Appellant requested Respondents "narrow" their designation of matter "to only the portions or pages cited to" in the trial court's order granting summary judgment and in Respondents' initial brief. Respondents filed a return. After careful consideration, we deny the motion to clarify Respondents' designation of matter. We remind the parties that the designation of matter may include only items that are relevant to the appeal and that were presented to the lower court. *See* Rule 209(b), SCACR; Rule 210(c), SCACR.



FOR THE COURT

Columbia, South Carolina

FILED
Sep 11 2023

cc:

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