

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

69181

APPEAL FROM CHARLESTON COUNTY
Court of Common Pleas

Mikell R. Scarborough, Master-in-Equity

Case No.: 2005-CP-10-4101

The Milton P. Demetre Family Limited PartnershipAppellant,

v.

Harry Beckmann, III, Patricia P. Beckmann,
Annie Ruth Hilton Crowley, Raymond Moody Crowley,
Donald William Crowley, Harris L. Crowley, Jr.,
and Annie Ruth Crowley AtkinsonRespondents.

APPELLANT'S MOTION TO ACCEPT THE
RECORD ON APPEAL AS FILED

Appellant respectfully moves this Court to accept the Record on Appeal as filed. On May 29, 2013, Appellant filed a Motion to Supplement the Record, stating:

Appellant respectfully moves to supplement the record by adding the following documents to Volume Three of the Record on Appeal on the basis that citation to these documents in Appellant's Initial Reply Brief was necessary to address certain arguments in the Initial Brief of Respondents: [list of seven items omitted].

By Order dated June 19, 2013, this Court granted said Motion, stating:

Appellant has filed a motion to supplement the record on appeal. The respondents have not filed a return. Therefore, the motion is granted. The requested material will be filed in a Supplemental Record on Appeal. This Supplemental Record will be served within thirty (30) days from the date of filing this order.

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The Record on Appeal was filed by Appellant on the deadline to do so, June 18, 2013, the day before issuance of the above-quoted June 19, 2013 Order; however, the Record on Appeal as filed appears to fulfill the intent of that Order.

While the material requested by Appellant is not filed in a separate volume labeled "Supplemental Record," it is filed as part of "Volume Three." Volume Three includes the requested material and material originally designated by the parties arranged in the hierarchical order provided by Rule 210(c), SCACR.

Acceptance of the Record on Appeal as filed would clarify that it is unnecessary to transfer the requested material to a separate volume and revise and resubmit Volume Three and the Final Brief of Appellant, Final Brief of Respondent, and Final Reply Brief of Appellant, which all cite to Volume Three as it is page numbered.

WHEEFORE, Appellant respectfully moves to accept the Record on Appeal as filed.

July 19, 2013

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PROOF OF SERVICE

I certify that I have served a copy of Appellant's Motion to Accept the Record on Appeal as Filed and Appellant's Motion to Extend the Time to Comply with this Court's June 19, 2013 Order Pending Resolution of Appellant's Motion to Accept the Record on Appeal as Filed on Harry Beckmann, III, Patricia P. Beckmann, Annie Ruth Hilton Crowley, Raymond Moody Crowley, Donald William Crowley, Harris L. Crowley, Jr., and Annie Ruth Crowley Atkinson by depositing a copy of it in the United States Mail, postage prepaid, on July 19, 2013, addressed to their attorneys of record, Jefferson D. Griffith, III, Esquire, and Richard L. Witt, Esquire, Austin & Rogers, P.A., Post Office Box 11716, Columbia, South Carolina 29211.

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