

# The South Carolina Court of Appeals

Stephen Mueller, Appellant,

v.

South Carolina Department of Health and Environmental  
Control, Carla Varn DuPre, and Jasper B. Varn, III,  
Respondents.

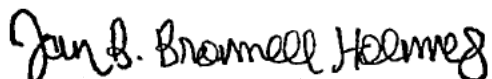
Appellate Case No. 2023-000441

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## ORDER

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On November 17, 2023, this court informed Appellant that the time for filing and serving the record on appeal had expired. This court allowed Appellant ten days to file and serve the record on appeal and a motion to file and serve the record on appeal out of time. On November 22, 2023, Appellant filed and served a motion to file the record on appeal out of time. He also filed what he purported to be the record on appeal. On December 12, 2023, Respondents filed a motion to dismiss the appeal due to Appellant's failure to file a record on appeal in compliance with the South Carolina Appellate Court Rules. Appellant filed a return on December 14, 2023. After careful consideration, we deny Respondents' motion to dismiss the appeal and we grant Appellant's motion to file the record on appeal out of time. However, Appellant's purported record on appeal does not comply with Rule 210(c) of the South Carolina Appellate Court Rules. *See* Rule 210(c), SCACR ("The Record on Appeal shall include all matter designated to be included by any party under Rule 209 and shall comply with the requirements of Rule 267"). Therefore, we grant Appellant fifteen days from the date of this order to submit a record on appeal that complies with the South Carolina Appellate Court Rules. Failure to comply may result in dismissal of this appeal.

 A.J.

FOR THE COURT

**FILED**  
**Dec 19 2023**

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Columbia, South Carolina

cc:

Stephen Mueller

Bradley David Churdar, Esquire

Mary Duncan Shahid, Esquire

Angelica M. Colwell, Esquire

Jana E. Shealy

The Honorable Milton G. Kimpson