

IN THE STATE OF SOUTH CAROLINA
In the Court of Appeals

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Jan 17 2024

APPEAL FROM ALLENDALE COUNTY
Court of Common Pleas

SC Court of Appeals

Brooks P. Goldsmith, Circuit Court Judge

Case Number: 2023-001281

Marcus Riley, Appellant,

v.

Dorothy Riley, individually and Dorothy Riley in her role as Personal Representative of
the Estate of Marion F. Riley, Jr..... Respondent.

MOTION TO REFORM

On October 11, 2023, Appellant filed his Designation of Matter, along with his initial
brief.

On December 11, 2023, Respondent filed her Designation of Matter, along with her
initial responsive brief. Appellant did not file a Reply Brief.

On January 3, 2024, Appellant filed a document purporting to be the Record on Appeal.
The documents provided do not comport with Rule 210, SCACR.

Regarding the Record of Appeal, there are serious deficiencies. First, the Record does not
contain the documents identified by Respondent. Second, Appellant filed an untimely
supplemental Designation of Matter with the Final Record on Appeal. Those items identified in

the untimely supplemental Designation of Matter are included in the Final Record on Appeal. Third, the Record on Appeal is not paginated, contains no index, is not ordered properly, and includes matter that was not designated by either party. Further, there is matter included in the Record on Appeal that was not made a part of the record of the trial court. (This matter was not designated in the first instance.)

Respondent respectfully requests the Court Order Appellant to reform the Record on Appeal to conform with Rule 210, SCACR. Specifically, Respondent requests that Appellant provide a Record of Appeal that contains only those items designated by the parties in their properly filed Designations of Matter, contains an index, and is paginated, and otherwise complies with Rule 210, SCACR.

This motion is based on Rules 210 and 211, SCACR, and the January 11, 2024 Filings of Appellant in this case. Respondent also craves reference to her Motion to Strike pleadings, filed simultaneously herewith, concerning the supplemental Designation of Matter and the Final Brief.

January 17, 2024
Bamberg, South Carolina

Respectfully Submitted,

s/ Alison Dennis Hood
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