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Jan 24 2024

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

Appeal from Greenville County Court of Common Pleas
The Honorable G.D. Morgan, Jr., Circuit Court Judge

Appellate Case No. 2023-001839

John Alexander,.....Appellant

v.

William G. Yarborough, III, Esquire;
Lisa Cherry;
John Doe, Contract Attorney;
John Doe, Paralegal.....Respondents

MOTION TO STRIKE

Comes Now, the Respondents, by and through their undersigned attorney of record, William G. Yarborough, III and would hereby respectfully move to strike Appellant’s recent filings, including his Initial Brief of Appellant, Record on Appeal, and Certificate of Appellant etc. In support of this motion, the Respondents would respectfully show:

On January 5, 2024, Respondents filed a Motion to Dismiss this appeal. Appellant was personally served with the Motion and attached exhibits at SCDC on January 8, 2024. With the Motion to Dismiss pending, the appeal was accordingly held in abeyance.

Appellant did not file any response to the Motion to Dismiss. Instead, without leave of this Court, Appellant went ahead and filed and served his Initial Brief, Record on Appeal, and a Certificate of Counsel.

Given that the Motion to Dismiss remains pending, Respondents respectfully request this Court to strike Appellant's recent filings. Respondents also renew their request to this Court to grant the Motion to Dismiss this appeal.

Respectfully submitted,

s/ William G. Yarborough, III
South Carolina Bar No. 10271
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Counsel for Self and All Respondents

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that the Motion to Strike was sent to SCDC service of process services to be personally served upon Appellant John Alexander at Tyger River Correctional Institution, where he is currently held.

A return with a proof of service shall be filed with this Court upon receipt from SCDC.

This day, the 24th of January, 2024.

s/ William G. Yarborough, III

William G. Yarborough, III
South Carolina Bar #10271

