

THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

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 Partnership .....Appellant

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 Atkinson ..... Respondents

**APPELLANT’S REPLY IN SUPPORT OF  
APPELLANT’S MOTION TO ACCEPT THE  
RECORD ON APPEAL AS FILED**

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AUG 05 2013

**SC Court of Appeals**

Respondents misconstrue Appellant’s Motion to Accept the Record on Appeal as Filed. Appellant does not seek to vitiate Respondents’ Motion to Compel Inclusion of Material Omitted from the Record on Appeal. While Appellant opposes that motion, Appellant agrees that it should be decided on its own merits.

It appears that Respondents do not oppose the actual relief sought in Appellant’s Motion to Accept the Record on Appeal as Filed, which is to clarify that, as filed, the Record on Appeal complies with and this Court’s Order of June 19, 2013, since Respondents state, “In other words, if this Court does not allow the inclusion of the ‘1786 Plat,’ the Record on Appeal as filed will be accepted by this Court, without any action by Appellant.” (Respondents Return, p. 5).

Even if Respondents' Motion to include the 1786 Plat were granted, Respondents have requested that the plat be included in an Appendix, which would not require revision or resubmission of Volume Three of the Record on Appeal. (Respondent's Motion, p. 7).

The Record on Appeal as filed appears to fulfill this Court's Order of June 19, 2013. Granting Appellant's Motion to Accept the Record on Appeal as Filed would clarify that Volume Three of the Record on Appeal and the documents which cite to its page numbering - the Final Brief of Appellant, the Final Brief of Respondents, and the Final Reply Brief of Appellant - need not be revised and resubmitted.

WHEREFORE, with the provision that Respondents' Motion to Compel Inclusion of Material Omitted from the Record on Appeal not be foreclosed and be decided on its own merits, Appellant's Motion to Accept the Record on Appeal as Filed should be granted.

August 2, 2013

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Case No.: 2005-CP-10-4101

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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 Atkinson .....Respondents.

PROOF OF SERVICE

I certify that I have served a copy of (1) Appellant's Reply to Respondents' Return to Appellant's Motion to File and Serve Supplemental Return of Appellant to Respondents' Motion to Compel Inclusion of Material Omitted from Record on Appeal, (2) Appellant's Reply in Support of Appellant's Motion to Accept the Record on Appeal as Filed, and (3) Appellant's Reply in Support of 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 August 2, 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.

August 2, 2013

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August 2, 2013

The Honorable Jenny Abbott Kitchings  
Clerk of Court  
South Carolina Court of Appeals  
P.O. Box 11629  
Columbia, SC 29211

Re: The Milton P. Demetre Family Limited Partnership vs.  
Harry Beckmann, III, et al  
Appellate Case No. 2012-212136

Dear Ms. Kitchings:

Enclosed for filing please find:

- The original and seven (7) copies of Appellant's Reply to Respondents' Return to Appellant's Motion to File and Serve Supplemental Return of Appellant to Respondents' Motion to Compel Inclusion of Material Omitted from Record on Appeal;
- The original and seven (7) copies of Appellant's Reply in Support of Appellant's Motion to Accept the Record on Appeal as Filed;
- The original and seven (7) copies of Appellant's Reply in Support of Appellant's Motion to Extend the Time to Comply with this Court's June 19, 2013 Order Pending Resolution of the Appellant's Motion to Accept the Record on Appeal as Filed; and
- The original and one copy of Proof of Service for the above items.

Please return stamped copies in the envelope provided.

Best wishes.

Very truly yours,

*Cain Denny*

Cain Denny

c.c. Jefferson D. Griffith, III, Esquire (with enclosures)  
Richard L. Witt, Esquire (with enclosures)  
John Hughes Cooper, Esquire (with enclosures)  
Mr. Milton P. Demetre (with enclosures)

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