

STATE OF SOUTH CAROLINA
In the Court of Appeals

Appeal from Lexington County
Court of Common Pleas

Appellate Case No. 2023-001005

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FEB 28 2024
SC Court of Appeals

Dennis Galipeau,

Appellant,

v.

D. Ryan McCabe and Marion J. Smith,

Respondents.

APPELLANT'S REPLY TO RESPONDENTS' RETURN TO APPELLANT'S
MOTION TO STRIKE OR DISALLOW MATTER DESIGNATED TO BE
INCLUDED IN THE RECORD ON APPEAL

Once again Respondents attempt to hijack Appellant's appeal and turn his appeal into their own appeal, attempting to add issues that are not before this court. The matters Respondents are attempting to add to this record that Appellant seeks to strike have nothing, whatsoever, to do with the issues presented for review by Appellant.

Appellant is not asking this court to determine whether or not Respondents committed perjury or suborned perjury in the circuit court case nor is Appellant asking this court to determine whether or not he defaulted his right to challenge and respond to Respondents' counterclaims. Instead, the only issues on appeal are: (1) Does Section 16-9-10, et seq., allow a person who "shall be grieved, hindered or molested by reason of the offense or offenses before mentioned that will sue for the same by action in any court of competent jurisdiction." See section 16-9-50 South Carolina Code of Laws. And the only matters relevant to that issue are the Appellant's Complaint, the law itself and the case law cited by the circuit court in its order; *Doe v. Marion*, 373 S.C. 390, 395 S.E.2d 245 (2007). And the only matters relevant to whether or not the circuit court committed clear, reversible error when it heard a motion using the WebEx forum that Appellant clearly refused to consent to, are the transcript of that hearing and Supreme Court Administrative Orders 2022-000582 and 2022-00029. All other matters, matters that these Respondents are attempting to add to this record are completely and totally irrelevant.

Respondents should be sanctioned by this Court for their willful and blatant attempts to expand the issues on appeal and to add their own issues despite the fact that Respondents did not appeal any of the issues/decisions/orders presented by Appellant in this appeal. Respondents' designated matters, 2, 3, 4, 6, 7, 8, and 9 are totally irrelevant to the issues on appeal and should not be made part of the record on appeal.



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THE STATE OF SOUTH CAROLINA
In The Court of Appeals

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SC Court of Appeals

APPEAL FROM LEXINGTON COUNTY
Court of Common Pleas

William P. Keesley, Circuit Court Judge
Walter j. McCloud, Circuit Court Judge

Case No. 2023-001005

Dennis Gallipeau,

Appellant,

v.

Donald McCabe and Marion Smith,

Respondents.

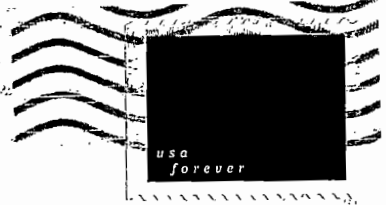
PROOF OF SERVICE

I certify that I have caused to be served **Appellant's Reply to Respondents' Return to Appellant's Motion to Strike or Disallow Matter**, by first class mail upon Respondents' attorney, Stephanie Trotter Kellahan, 4500 Fort Jackson Blvd., Suite 250, Columbia, SC 29209 on February 26, 2024


Dennis M. Gallipeau

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