

The South Carolina Court of Appeals

Michael Gene Putnam, Appellant,

v.

Robert Henry Purkerson, Respondent.

Appellate Case No. 2022-001432

ORDER

On June 6, 2023, this court granted Respondent's motion to strike and ordered Appellant to file an amended initial brief and designation of matter. Appellant subsequently filed an amended initial brief and designation of matter. Respondent filed a second motion to strike because Appellant omitted a previously designated matter and designated new matter. Appellant filed a return, arguing he was allowed to "freely modify his designation" in light of the order granting the previous motion to strike. In the alternative, Appellant moved this court to allow him to supplement his designation of matter. After careful consideration, we grant Respondent's motion to include previously designated item 16 in the record on appeal and strike items 10, 11, and 27 from the record on appeal. However, we construe Appellant's return to the motion to strike as a motion to amend his designation of matter to include items 10, 11, and 27, and we grant the motion to amend to include items 10 and 11. We deny Appellant's motion to include item 27 as that matter was not presented to the circuit court. *See* Rule 210(c), SCACR (explaining the record shall not include matter which was not presented to the lower court). Within ten days of the date of this order, Appellant shall file a second amended designation of matter that includes previously designated item 16 and newly designated items 10 and 11.



FOR THE COURT

Columbia, South Carolina

FILED
Apr 04 2024

cc:

Thomas Jefferson Goodwyn, Jr., Esquire

Charles Grant Blackburn, Esquire

Langdon Cheves, III, Esquire

Laura C. Tesh, Esquire

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