

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM SPARTANBURG COUNTY
Court of Common Pleas

The Honorable J. Mark Hayes, II, Judge

Case No. 2022-CP-42-2559
Appellate Case No.: 2023-000120

Antoine Lamar Robinson and Gerrick Lance Robinson.....Respondents,

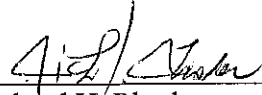
vs.

Debra T. RobinsonAppellant.

MOTION TO CORRECT RECORD ON APPEAL

The Respondents do hereby move for an Order of the Court requiring the Appellant to correct the Record on Appeal. The deficiencies are as follows:

- (a) The Record only contains the January 9, 2023 Order of Judge J. Mark Hayes, II and the June 15, 2022 Order of Judge Ponda A. Caldwell. The Appellant failed to include the May 6, 2020 Order of Judge Ponda A. Caldwell. [In the Designation of Matter filed by the Respondents on January 25, 2024, the May 6, 2020 Order was requested to be in the Record on Appeal.]
- (b) The pages of the Record are not individually numbered so the Briefs cannot cite specific portions of the Record.



Richard H. Rhodes
Attorney for the Respondents
260 North Church Street
Spartanburg, South Carolina 29306
(864) 585-8166

April 9, 2024

Other Counsel of Record:

Robert L. Gailliard
6650 Rivers Avenue
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(843)329-4015
Attorney for Appellant

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Jan 25 2024

SC Court of Appeals

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RESPONDENTS' DESIGNATION OF MATTER

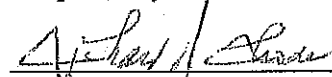
ORDERS

- Order of Judge J. Mark Hayes, II dated January 9, 2023
- Order of Judge Ponda A. Caldwell dated June 15, 2022
- Order of Judge Ponda A. Caldwell dated May 6, 2020

Testimony of the Trial before Judge Caldwell on February 9, 2022, is not needed. The only issue is whether an appeal must be filed within thirty (30) days as provided by Rule 74 SCRPC or whether the appeal must be filed within ten (10) days as mandated by Code §62-1-308(a).

Even if the testimony were deemed to be necessary, the Appellant has not requested the transcript timely. Supreme Court Rule 207(a) requires that the testimony be ordered within ten (10) days from the notice of appeal. The notice of appeal in this case was filed on January 25, 2023. If testimony from the trial of Judge Caldwell has been ordered, the undersigned has received no notice.

Respectfully submitted,



Richard H. Rhodes, Esquire
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Attorneys for Respondents

January 25, 2024

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Apr 09 2024

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vs.

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PROOF OF DELIVERY

This is to certify that on the 9th day of April, 2024, the undersigned, secretary to Richard H. Rhodes, Esq., served a copy of the **MOTION TO CORRECT RECORD ON APPEAL** by emailing a copy to the following:

Robert L. Gailliard
Attorney for Appellant
Via Email: rlgailliardlaw@outlook.com


JO ANN CHAMPION

SWORN to before me this 9th
day of April, 2024

 (SEAL)
NOTARY PUBLIC FOR SOUTH CAROLINA

My Commission Expires: 12-10-2025