

The South Carolina Court of Appeals

Bryantavious K. Murray, Appellant,

v.

Lt. Geoffrey Rice, Lt. Ronald Cook, Lt. James
Thompkins, Sgt. Jeremy McCary, Major Frank Mursier,
Joseph Stevens, Leroy Cartledge, Vera Courson, and
South Carolina Department of Corrections, Defendants,

of whom South Carolina Department of Corrections is
the Respondent.

Appellate Case No. 2023-001375

ORDER

After careful consideration, Respondent's motion to strike the request to charge document from Appellant's designation of matter is granted. *See* Rule 209(b), SCACR (providing a designation of matter "may only propose to include portions of the transcript, pleadings, orders, exhibits, or other materials which may be properly included in the Record on Appeal."); Rule 210(c), SCACR ("The Record shall not . . . include matter which was not presented to the lower court or tribunal."). Within fifteen days of the date of this order, Appellant shall serve and file an amended designation of matter that excludes the request to charge document, and specifies the official captions and/or dates of the other items in his designation, rather than "Answer," and "Complaint." *See* Rule 209(b), SCACR ("The Designation must clearly identify what the party desires to have included in the Record on Appeal . . .").

Additionally, Appellant's record on appeal, filed March 25, 2024, is stricken. The record on appeal appears to consist of Appellant's re-typed versions of the documents he designated for inclusion in the record, rather than copies of the official, stamped and filed documents. Within fifteen days of the date of this order, Respondent shall serve upon Appellant and file with this court the stamped and

filed copies of the order on appeal, the complaint, and the answer. Within thirty days of service of those documents, Appellant shall file an amended record on appeal that excludes the request to charge document, includes the aforementioned documents provided by Respondent, and includes all items designated by Respondent in its designation of matter filed March 25, 2024. See Rule 210(c), SCACR ("The Record on Appeal shall include all matter designated to be included by any party under Rule 209 and shall comply with the requirements of Rule 267."). The amended record shall also include the contents required by Rule 210 of the South Carolina Appellate Rules, including an index and consecutive pagination, and shall comply with the formatting requirements in Rule 267 of the South Carolina Appellate Court Rules.



FOR THE COURT

Columbia, South Carolina

cc:
Bryantavious K. Murray
Steven Michael Pruitt, Esquire

FILED
May 21 2024