

The South Carolina Court of Appeals

Family Services, Inc., as Conservator for Muriel W.
Clarkin, Respondent,

v.

Patricia Clarkin Smith and Wells Fargo Bank, NA.,
Defendants,

Of whom Patricia Clarkin Smith is the Appellant.

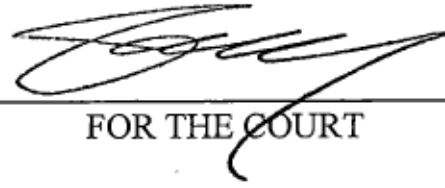
Appellate Case No. 2021-000793

ORDER

On April 12, 2024, this court advised Appellant that she must file proof of service of the record on appeal and a motion to allow late filing of the proof of service within ten days or this appeal would be dismissed. On April 18, 2024, Appellant filed the record on appeal, a proof of service, and a motion to allow late filing of the record on appeal. Respondent opposes the motion due to the significant delays with Appellant's filings in this appeal and ongoing deficiencies with the record on appeal.

Though Appellant has now filed the record on appeal and proof of service, the record on appeal does not contain most of Respondent's designated matters, including the transcript of the hearing relating to the order on appeal, and contains at least one item that was not presented below. *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 Record shall not, however, include matter which was not presented to the lower court or tribunal."). Because this appeal was filed nearly three years ago, and Appellant continues to cause delays with late and deficient filings, Appellant's motion to allow late filing is denied and this appeal is dismissed. The remittitur will be sent as required by Rule 221(b), SCACR.

FILED
Jun 20 2024



FOR THE COURT

Columbia, South Carolina

cc:
David Conor Keys, Esquire
Deborah Dickson Davis, Esquire

FILED
Jun 20 2024
