

The South Carolina Court of Appeals

Jason M. Aryeh, Respondent,

v.

Olivia R. Aryeh, Appellant.

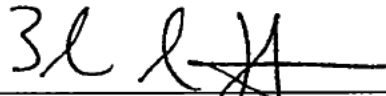
Appellate Case No. 2023-001334

ORDER

Appellant filed her initial brief and designation of matter on January 10, 2024. Appellant designated "Defendant's attorney's fees" as item 1; "Plaintiff's attorney's fees" as item 2; "Connecticut Divorce Decree, August 22, 2023" as item 5; "Proof of Plaintiff's multiple residences and income sources" as item 6; "Judge Moukawsher's Court Order from" as item 7; "Motion for Contempt for refusal to pay alimony" as item 8; and "Motion for Expenses for Children" as item 9. Respondent filed a motion to strike items 5, 8, and 9, arguing these items were not presented to the lower court. Respondent also moved for clarification of items 1, 2, 6, and 7. Appellant did not file a return. On April 30, 2024, we granted Respondent's motion by striking items 5, 8, and 9 from Appellant's designation of matter, and directing Appellant to serve and file a return to Respondent's motion to clarify items 1, 2, 6, and 7. Appellant filed a return clarifying items 1, 2, 6, and 7. Respondent filed a reply.

After careful consideration of the filings, we require Appellant to file and serve an amended designation of matter that omits items 5, 8, and 9 and changes items 1 and 2 to transcript pages 83, 85, 95-96, 140, 149, and 156; item 6 to transcript pages 101-102, and 172; and item 7 to transcript pages 91-92, and 125 within ten days of the date of this order. *See* Rule 210(c), SCACR ("The [r]ecord shall not, however, include matter which was not presented to the lower court or tribunal."). Further, within twenty days after service of the amended designation of matter, Appellant shall file and serve the record on appeal. Failure to comply will result in dismissal of the appeal.

We deny Respondent's request, made in his reply, for Appellant to file the record on appeal under seal or allow Respondent to file the record on appeal with Appellant bearing the cost.

A handwritten signature in black ink, appearing to be "3L L H" with a flourish, positioned above a horizontal line.

FOR THE COURT

Columbia, South Carolina

FILED
Jul 01 2024

cc:

Olivia Aryeh

E. Elliot Condon, Esquire

Stafford J McQuillin, III, Esquire

Sarah P. Spruill, Esquire