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Aug 19 2024

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM ALLENDALE COUNTY
Court of Common Pleas

Brooks P. Goldsmith, Circuit Court Judge

Case No. 2023-001281

Marcus Riley

Appellant.

v.

Dorothy Riley individually, and as
Personal Representative of the
Estate of Marion F. Riley

Respondent,

REPLY TO
RENEWED MOTION TO DISMISS

On July 26th, 2024, the Appellant received a Renewed Motion to Dismiss this action. The grounds for the motion to dismiss are inappropriate and not worthy of being granted. Respondent states that Request for Judicial Notice is omitted. That Request is included on RAO39. The remaining portion of that paragraph needs to be clarified. The statement "This is

the attached Demand for a Hearing by Marcus T. Riley." The Appellant cannot respond to that portion of the motion.

The Transcript request also needs to be clarified. The statement that the Respondent's transcripts were not included under the page number that he designated is not a valid reason for dismissing the case. Respondent states that the non-consecutive transcript that the Appellant uses is the version used by the Appellant. The Appellant needs help understanding what that means.

None of the reasons stated by Respondent prohibits him from preparing a final brief. The Appellant feels that renewing this motion is a waste of time and requests that the Court Dismiss his motion and call for the Final Briefs.

s/Ittriss J. Jenkins

Ittriss J. Jenkins
652 Rutledge Ave. Ste.A
Charleston SC 29403
(843) 203-0193
Attorney for Appellant

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PROOF OF SERVICE OF A RECORD ON
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Marion F. Riley

Respondent,

PROOF OF SERVICE

I certify that I have served the Reply to Motion to Dismiss on Alison Hood, R. Aaron Ness and J. Martin Harvey via email at Alisonhood@gmail.com, Aaronness@gmail.com and jmharveyattorney@gmail.com on May 17, 2024.

August 19th, 2024

s/ Ittriss J .Jenkins
652 Rutledge Ave
Charleston, South Carolina 29003
(843) 203-0193
Attorney for Appellant