

The South Carolina Court of Appeals

Jian-Yun (John) Dong, M.D., Ph.D., Appellant,

v.

Medical University of South Carolina, Respondent.

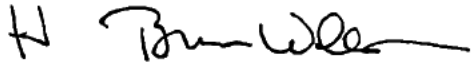
Appellate Case No. 2023-001733

ORDER

Appellant served and filed a record on appeal on September 9, 2024. On September 19, 2024, Respondent filed a motion to strike the record on appeal because it failed to contain all matters designated by Respondent. Respondent further requested this court require Appellant to file an amended record on appeal in compliance with Rule 210(c) of the South Carolina Appellate Court Rules. Appellant filed a return, in which he requested this court deny Respondent's motion to strike the record on appeal, explaining Respondent designated "a vast amount of material that is not relevant to the issues on appeal."¹ Respondent filed a reply. After careful consideration of the filings, we grant Respondent's motion to strike the record on appeal.

¹ In his return, Appellant stated he believed the entire transcript of the hearing on Respondent's motion for summary judgment should be in the record on appeal and he did not have the full transcript of the hearing. Appellant requested this court order Respondent to provide him with the full transcript to be included with the record on appeal. Notably, although Respondent designated the entire summary judgment transcript be included in the record on appeal, Respondent's motion to strike does not indicate the summary judgment transcript included in the record on appeal is incomplete. We have reviewed the summary judgment transcript included with the record on appeal, and we are without sufficient information at this time to determine if the transcript is complete. Therefore, we take no action on Appellant's request.

Within thirty days of the date of this order, Appellant shall serve and file an amended record on appeal that complies with Rule 210(c), SCACR and includes all matters designated by Respondent, which were omitted from the previously filed record on appeal, including all exhibits and attachments to the matters designated. *See* Rule 210(c), SCACR ("The Record on Appeal shall include all matter designated to be included by any party"). Thereafter, the parties shall serve and file their final briefs within twenty days of the date of service of the amended record on appeal.



FOR THE COURT C.J.

Columbia, South Carolina

FILED
Oct 23 2024

cc:
John Dong
Caroline Wrenn Cleveland, Esquire
Bob J. Conley, Esquire