

# The South Carolina Court of Appeals

Danny Rose, Respondent,

v.

Robert Rose, Gloria Rose-Ruch, Mary Margaret Doll  
Rose, and John Does 1-99, Defendants,

Of whom Robert Rose, Gloria Rose-Ruch, and Mary  
Margaret Doll Rose are the Appellants.

Appellate Case No. 2023-001129

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## ORDER

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On July 3, 2024, this court granted Respondent's motion to strike certain items designated by Appellants. This court ordered Appellants to serve and file an amended initial brief and amended designation of matter omitting references to the stricken items. On July 5, 2024, Appellants filed an amended designation of matter. On August 15, 2024, this court sent a letter to Appellants explaining their amended initial brief was overdue. On August 29, 2024, Respondent filed motion to dismiss this appeal because Appellants failed to file an amended initial brief. On September 4, 2024, Appellants filed a return, arguing no amended initial brief is necessary because the previously filed initial brief does not refer to the stricken matter. After careful consideration, we deny Respondent's motion to dismiss. Based upon Appellants' assurance that the previously filed initial brief contains no reference to the stricken matter, we allow the appeal to proceed without requiring Appellants to serve and file an amended initial brief.

  
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FOR THE COURT

Columbia, South Carolina

cc:  
John Martin Foster, Esquire  
T. Hunt Reid, Esquire  
William Thomas Young, III, Esquire

**FILED**  
**Oct 01 2024**