

The South Carolina Court of Appeals

Jay Tate, #131879, Appellant,

v.

South Carolina Department of Corrections, Respondent.

Appellate Case No. 2023-001002

ORDER

On January 13, 2025, Appellant filed a "motion to obtain leave of court, request to obtain a court order to compel [Respondent] to provide requested material." Specifically, Appellant asks this court to compel Respondent to provide the following materials to him so that he may submit a complete record: (1) transcript of the disciplinary hearing held on November 2, 2022; (2) incident reports of the charge; (3) copies of documented evidence; and (4) any statements of officials regarding the charge. Respondent did not file a return. Neither party designated the transcript of the disciplinary hearing held on November 2, 2022, copies of documented evidence, or statements of officials regarding the charge; therefore, these documents are unnecessary for the record on appeal. *See* Rule 210(c), SCACR ("The [r]ecord on [a]ppel shall include all matter designated to be included by any party under Rule 209 and shall comply with the requirements of Rule 267."). Although Appellant designated the incident report, it appears Appellant already has a copy of the incident report as it was included as an attachment to his motion. After careful consideration, we deny Appellant's motion to compel Respondent to provide the requested material. Appellant shall serve and file the record on appeal within twenty days of the date of this order.



FOR THE COURT

Columbia, South Carolina

cc:

Jay Walter Tate, Jr., 131879

Christina Catoe Bigelow, Esquire

FILED
Jan 24 2025