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Jan 30 2025

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM CHARLESTON COUNTY
COURT OF COMMON PLEAS
The Honorable Bentley D. Price
Circuit Court Judge

Appellate Case No. 2024-000350

Michele Graham,.....Appellant,

v.

Mark Ciaburri and Adrienne T. Ciaburri,Respondents

SUPPLEMENTAL MOTION TO STRIKE IMPROPER MATERIAL FROM THE RECORD ON
APPEAL

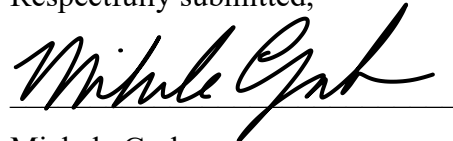
On September 30, 2024, Appellant filed an objection to the inclusion of certain irrelevant materials in the Record on Appeal. This Court ruled on the objection, granting it in part.

However, due to an oversight, Appellant did not include an objection to Respondent’s request to include the Initial Brief of Appellant, filed March 28, 2024, in the Record on Appeal. The Appellant’s initial brief is not an evidentiary or procedural document from the lower court but rather a legal argument submitted during appellate proceedings, which is not properly part of the Record on Appeal.

Pursuant to Rule 210 of the South Carolina Appellate Court Rules, the Record on Appeal may not contain material that was not presented to the lower court. Because the Appellant's initial brief was never before the trial court, it does not belong in the record and must be excluded.

Accordingly, Appellant respectfully requests that this Court strike the Appellant's Initial Brief from the Record on Appeal to ensure compliance with Rule 210. The Appellant also requests that this Court stay the appellate proceedings, including the deadline for filing the Record on Appeal, pending resolution of this motion.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Michele Graham", is written over a horizontal line.

Michele Graham
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Appellant

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Mark Ciaburri and Adrienne T. Ciaburri,Respondents

PROOF OF SERVICE

I, Michele Graham, hereby certify that I have served the **Supplemental Motion to Strike Improper Material from Record on Appeal** to counsel for the Respondents via email and U.S. Mail at:

ted@corveylawfirm.com

Corvey Law Firm
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