

The South Carolina Court of Appeals

Athena Irland, Appellant,

v.

Brandy S. Culp, Respondent.

Appellate Case No. 2023-001852

ORDER

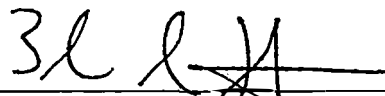
On October 21, 2024, Appellant filed an amended initial brief and designation of matter. On November 22, 2024, Respondent moved to dismiss the appeal or, in the alternative to strike Appellant's amended initial brief and designation of matter. On December 3, 2024, Appellant filed a record on appeal. On December 5, 2024, Appellant filed an amended record on appeal. On December 6, 2024, Respondent filed an addendum to her November 22, 2024 motion to dismiss, requesting this court dismiss the appeal because Appellant's record on appeal failed to comply with the South Carolina Appellate Court Rules.

After careful consideration, we deny Respondent's motion to dismiss the appeal. We also deny Respondent's alternative relief to strike Appellant's amended initial brief. However, we grant Respondent's alternative relief to strike items 15 and 16 from the amended designation of matter filed October 21, 2024. Within ten days of the date of this order, Appellant must file and serve an amended designation of matter that omits items 15 and 16.¹

¹ We note Appellant failed to provide this court with a proof serving her amended designation of matter filed on October 21, 2024, on Respondent. We advised Appellant of this deficiency by letter on November 5, 2024, and allowed Appellant ten days to correct the deficiency. In light of our decision to strike the amended designation of matter filed on October 21, 2024, we no longer require Appellant to serve it on Respondent. Instead, Appellant is required to serve and file an amended designation of matter omitting items 15 and 16 as directed in this order.

Additionally, we strike the record on appeal filed on December 3, 2024, and the amended record on appeal filed December 5, 2024, because these documents do not comply with Rule 210 of the South Carolina Appellate Court Rules. Within twenty days from the date of this order, Appellant shall file and serve an amended record on appeal that complies with Rule 210.²

Failure to file and serve documents that comply with the rules will result in dismissal of this appeal.



FOR THE COURT

Columbia, South Carolina

FILED
Feb 05 2025

cc:

Athena L. Irland

Jesse Sanchez, Esquire

Daniel Scott Slotchiver, Esquire

Stephen Michael Slotchiver, Esquire

² We take this opportunity to note that the record on appeal "shall include all matter designated to be included by any party" *See* Rule 210(c), SCACR. We caution Appellant to review the South Carolina Appellate Court Rules thoroughly to ensure compliance.