

Randal K. Freeman  
8 Warren Ct.  
Sumter, SC 29150  
Randal.freeman88@gmail.com  
(224) 523-6152  
February 25, 2025

Clerk of the Court  
South Carolina Court of Appeals  
PO Box 11629  
Columbia, SC 29211

RE: Improper Case Caption and Failure to Comply with Rule 267 – Randal K. Freeman v. David Bryan Trapp, Appellate Case No. 2024-000283

Dear Clerk of the Court,

I am writing to formally request clarification regarding the continued improper identification of parties in this appeal, specifically the repeated inclusion of "Jenna B. Freeman" as a party, despite her not being a named appellant. This issue persists despite clear direction from the Clerk's Office regarding the proper caption for this matter.

As noted in the attached November 7, 2024, letter from the Clerk of the Court, the Court provided explicit instructions on the correct identification of the parties in this case. The letter clearly states that all documents, including the record on appeal and final briefs, must include the correct case title and caption as set forth in Rules 210(d) and 267 of the South Carolina Appellate Court Rules (SCACR). However, Respondent's Counsel has repeatedly mislabeled various filings, including but not limited to improperly captioned motions and the Respondent's Initial Brief. Rule 267 mandates that all documents filed with the Court must conform to proper formatting, including accurate case captions, and those failing to comply should be rejected by the Court Clerk.

Despite these clear procedural requirements and explicit guidance from the Clerk in the November letter, the improperly captioned documents have been accepted and processed by the Court. I respectfully request clarification as to why these filings were not rejected as required under Rule 267. Furthermore, I ask that the Court ensure that any future filings in this matter adhere strictly to the proper case caption as identified in the Clerk's prior guidance and the November 7, 2024, letter.

It is essential that all filings reflect the correct parties to prevent any potential confusion or misrepresentation in these proceedings. The Appellant seeks confirmation that future non-compliant submissions will not be accepted to maintain the integrity of the appellate process.

Thank you for your prompt attention to this matter. I look forward to your response and any corrective action that may be taken to ensure compliance moving forward.

Sincerely,

s/Randal K Freeman

Randal K. Freeman  
Appellant  
8 Warren Ct  
Sumter, SC 29150  
(224) 407-1660

Enclosures:

- Copy of the November 7, 2024, Letter from the Clerk of the Court
- Copies of improperly captioned documents filed by Respondent's Counsel



## The South Carolina Court of Appeals

JENNY ABBOTT KITCHINGS  
CLERK

CATHERINE S. HARRISON  
CHIEF DEPUTY CLERK

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November 07, 2024

Randal K. Freeman  
8 Warren Ct.  
Sumter SC 29150

Mr. Christopher Ryan Jay, Esquire  
1524 Lafayette Ave  
Cayce SC 29033

Mr. James Benjamin Cahill, Esquire  
325 W Calhoun St  
Sumter SC 29150

Re: Randal Freeman v. David Trapp  
Appellate Case No. 2024-000283

Dear Counsel and Mr. Freeman:

Our records reflect the time is approaching to file the record on appeal and final briefs. The Supreme Court issued an order reducing the number of copies required in appellate matters. See *Re: Reduced Number of Copies Required in Appellate Matters* (S.C. Sup. Ct. Order dated August 25, 2021). As permitted by the order, the Court of Appeals has determined a need exists for one additional bound copy of the record on appeal and all final briefs. The additional copies must comply with any binding or cover color requirements specified by Rule 267 of the South Carolina Appellate Court Rules (SCACR).

Accordingly, each party must file an original record on appeal and/or final brief, in

either electronic or unbound paper form, as well as one bound paper copy, at the time the record on appeal and final briefs are due to be served and filed in accordance with the SCACR.

Additionally, please review the following guidelines as you prepare your record on appeal and final briefs:

Pursuant to Rules 209, 210, and 267, SCACR, the record on appeal must include the following:

1. The correct case title (provided below) and caption as set forth in Rules 210(d) and 267, SCACR.
2. The name and contact information for all counsel representing the parties to the appeal. Please do not include names of counsel that have not previously made an appearance in this case.
3. A certificate of counsel, pursuant to Rule 210(g), SCACR.
4. A proof of service of the record on appeal, if one has not already been filed with this Court.
5. All matters designated by the parties pursuant to Rule 209, SCACR, in compliance with Rule 210(c) and (e), SCACR.
6. The binding for the copies of the record on appeal must be in compliance with Rule 267(d), SCACR.

Pursuant to Rules 211 and 267, SCACR, all final briefs must include the following:

1. The correct case title (provided below) and caption as set forth in Rules 210(d) and 267, SCACR.
2. The name and contact information for counsel filing the brief. If you are filing your final brief pro se, you must include your name and contact information on the cover of the brief.
3. The signature of the person filing the brief should be on the conclusion page.
4. A certificate of counsel for the final brief, pursuant to Rule 211, SCACR.
5. A proof of service of the final brief. Mail receipts will not be accepted in lieu of proper proof of service.
6. The binding for the copies of all final briefs must be in compliance with Rule 267(d), SCACR.

According to our records, the correct caption for this appeal should read as follows on the record on appeal and all final briefs:

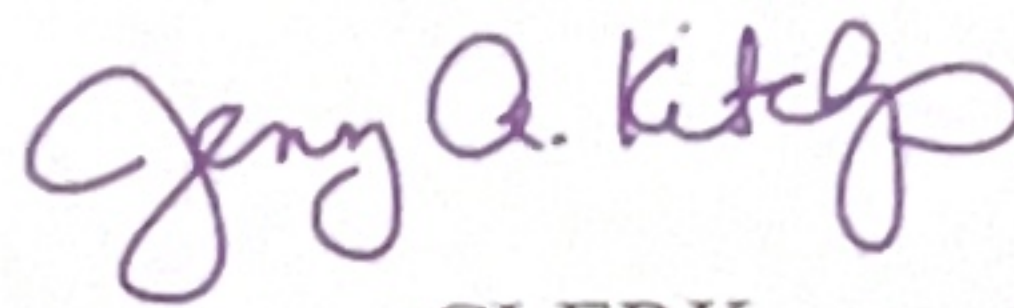
**Randal K. Freeman, Appellant,**

**v.**

**David Bryan Trapp, Respondent.**

We request large parcels such as bound paper copies of final briefs and the record on appeal be sent directly to the Court via the street address: 1220 Senate Street, Columbia, S.C. 29201. Thank you for your attention. If you have any questions, please do not hesitate to contact this office.

Very truly yours,

A handwritten signature in purple ink that reads "Jerry A. Kitchy". The signature is written in a cursive style with a large initial "J".

CLERK

**RECEIVED**

**Oct 25 2024**

**SC Court of Appeals**

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

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APPEAL FROM SUMTER COUNTY  
Court of Common Pleas

R. Ferrell Cothran Jr. Circuit Court Judge

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Case No.: 2024-CP-43-00366

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David Bryan Trapp,

Respondent.

v.

Randal K. Freeman and Jenna B. Freeman, Defendants,

Of Whom Randal K. Freeman is the ..... Appellant.

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INITIAL BRIEF OF RESPONDENT

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/s Christopher R. Jay  
Christopher R. Jay, Esq  
S.C. Bar No.: 100313  
[chris@curtisandcroft.com](mailto:chris@curtisandcroft.com)

/s J. Benjamin Cahill  
J. Benjamin Cahill, Esq  
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**Attorneys for Respondent David Bryan Trapp**

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

APPEAL FROM SUMTER COUNTY  
Court of Common Pleas

R.Ferrell Cothran, Jr., Circuit Court Judge

Case No. 2024-CP-43-000366

Randal K Freeman,

Appellant,

v.

David Bryan Trapp,

Respondent.

PROOF OF SERVICE

I certify that I have served the a copy of the **Letter to Clerk of Court RE: Improper Case Caption and Failure to comply** on David Bryan Trapp by depositing a copy of it in the United States Mail, postage prepaid, on February 26<sup>th</sup>, 2025, addressed to his attorney of record, J.Benjamin Cahill, Curtis & Croft, LLC 325 West Calhoun Street, Sumter SC 29150.

February 25<sup>th</sup>, 2025

/s/Randal K Freeman  
Randal K Freeman  
8 Warren Ct  
Sumter SC 29150  
(224) 407-1660