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Mar 03 2025

SC Court of Appeals

THE STATE OF SOUTH CAROLINA

In The Court of Appeals

APPEAL FROM YORK COUNTY
Court of Common Pleas

Daniel D. Hall, Circuit Court Judge

Case No. 2023-CP-46-04090
Appellant Case No. 2025-000031

Swarna Ramamurthy & Vijayanand
Bhoopalan.....Appellants,

v.

Darin Short.....Respondent.

**MOTION TO DETERMINE / MOTION TO STRIKE / MOTION TO EXTEND TIME
TO FILE RECORD ON APPEAL**

Pursuant to S.C. App. Ct. Rule 240, Appellants, by and through undersigned counsel, Rolf M. Baghdady, respectfully move the Court for the following:

- 1) To determine whether or not the Respondent Darin Short's letter, which he filed pro se on February 10, 2025 in the Court of Appeals, qualifies as Respondent's Designation of Matter to be included in the Record on Appeal;

- 2) If so, then to strike Respondents' request for a transcript of the arguments taken during the January 14, 2024 hearing; and, in the alternative
- 3) An extension of the time for Appellants to serve and file the Record on Appeal until ten (10) days after the Court rules upon these motions and as may be appropriate.

The grounds for these motions are as follows:

1. Pro se Respondent Darin Short's filing dated February 10, 2025, as a copy of letter to counsel for Appellants, should be disregarded as a Designation of Matter to be included in the Record on Appeal because it was not in the form of papers as set forth in S.C. App. Ct. Rule 267.

2. If the Court deems Respondent's filing to actually be Respondent's Designation of Matter to be included in the Record on Appeal, then the request for a transcript of the January 14, 2024 hearing be stricken as there was only argument and no witness testimony taken at that hearing on January 14, 2024. In any case, no transcript has been ordered.

3. That Appellants have an extension of ten (10) days' time after the Court rules on the Appellants' Motion to Determine / Motion to Strike / Motion to Extend Time to File Record on Appeal to serve and file Appellants' Record on Appeal and/or such further time as may be appropriate.

WHEREFORE, Appellants pray the Court grant the relief requested and for such other and further relief as may be just and proper.

Respectfully submitted,

s/ Rolf M. Baghdady
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Chapin, South Carolina
March 3, 2025

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SC Court of Appeals

NOTICE OF APPEAL IN A CIVIL CASE

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM YORK COUNTY
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Case No. 2023-CP-46-04090

Swarna Ramamurthy & Vijayanand
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Appellants,

v.

Darin Short,

Respondent.

PROOF OF SERVICE

I certify that I have served the Motion To Determine / Motion To Strike / Motion To Extend Time To File Record On Appeal on Darin Short by depositing a copy of it in the United States Mail, postage prepaid, on March 3, 2025, addressed to Darin Short at 121 Ridgemont Lane, Statesville, NC 28677 and to York County Clerk of Court via electronic filing.

March 3, 2025

s/ Rolf M. Baghdady
Rolf M. Baghdady, P.A.
118 Cobblestone Court
Chapin, South Carolina 29036-9705
Attorney for Appellants