

# The South Carolina Court of Appeals

Ronald Carl Cox, III, Appellant,

v.

Michael John Dimaggio, Respondent.

Appellate Case No. 2023-001497

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## ORDER

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On October 16, 2024, Appellant filed a record on appeal, and on December 3, 2024, Appellant filed an amended record on appeal. On December 27, 2024, Respondent filed a motion to dismiss for Appellant's failure to include Respondent's designated matter in the record on appeal or in the alternative, for an order directing Appellant to file a record on appeal that includes the matters designated by Respondent. Respondent also sought sanctions and attorney's fees and costs. On January 6, 2025, Appellant filed a return, a motion to amend the record on appeal, and a second amended record on appeal. Appellant requested this court accept the second amended record on appeal, which he purported included the previously omitted matters. Respondent did not file a reply. After careful consideration, Respondent's motion to dismiss, for sanctions, and for attorney's fees and costs is denied. Appellant's motion to amend the record on appeal is granted, and the second amended record on appeal is accepted as filed. Within twenty days of the date of this order, each party shall serve a copy of the party's final brief(s) on every other party to the appeal, and file the final brief(s) with the clerk of the appellate court, pursuant to Rule 211 of the South Carolina Appellate Court Rules.



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FOR THE COURT

Columbia, South Carolina

**FILED**  
**Mar 04 2025**

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cc:

Daniel Joseph Farnsworth, Jr., Esquire

John Kirkman Moorhead, Esquire