

The South Carolina Court of Appeals

U.S. Bank Trust National Association, as Trustee of Tiki
Series IV Trust, Respondent,

v.

Angela T. Franks aka Angela Thomansina Franks and
CMS Roofing, LLC, Defendants,

Of which Angela T. Franks aka Angela Thomansina
Franks is the Appellant.

Appellate Case No. 2024-000917

ORDER

On February 7, 2025, Respondent moved to dismiss the appeal, arguing Appellant's initial brief and designation of matter failed to comply with the South Carolina Appellate Court Rules. Appellant did not file a return. After careful consideration, we deny the motion to dismiss; however, we strike Appellant's initial brief and designation of matter. Within twenty days of the date of this order, Appellant shall serve and file an amended initial brief and designation of matter that substantially comply with the South Carolina Appellate Court Rules. Importantly, the designation of matter shall not include matters not presented to the lower court. *See* Rule 208(b), SCACR (explaining the content "initial briefs under this Rule and the final briefs under Rule 211 shall contain"); Rule 209(b), SCACR ("[T]he Designation may only propose to include portions of the transcript, pleadings, orders, exhibits, or other materials which may be properly included in the Record on Appeal [See Rule 210(c)]."); Rule 210(c), SCACR ("The Record shall not, however, include matter which was not presented to the lower court or tribunal.").



FOR THE COURT

Columbia, South Carolina

FILED
Apr 08 2025

cc:

Angela Franks

Brian Lawrence Campbell, Esquire

John P. Fetner, Esquire

J. Pamela Price, Esquire

January N Taylor, Esquire

Taylor Nicole Way, Esquire

Kimila Lynn Wooten, Esquire

Meredith L. Coker, Esquire

Dean Anthony Hayes, Esquire