

**THE STATE OF SOUTH CAROLINA
In the Court of Appeals**

APPEAL FROM CHARLESTON COUNTY
COURT OF COMMON PLEAS
The Honorable Bentley D. Price
Circuit Court Judge

Appellate Case No. 2024-000350

Michele Graham,.....Appellant,

v.

Mark Ciaburri and Adrienne T. Ciaburri,Respondents

**MOTION TO SETTLE THE RECORD ON APPEAL AND PROCEED WITHOUT FURTHER
DELAY**

The Appellant respectfully moves this Court for an Order settling the Record on Appeal to allow this appeal to proceed without further delay.

On January 10, 2025, this Court granted in part and denied in part Appellant’s motion to strike certain materials designated by Respondents for inclusion in the Record on Appeal. On a subsequent date, Appellant filed a supplemental motion to strike the Appellant’s initial appellate brief from Respondents’ designation, arguing that it was not an evidentiary or procedural document from the lower court.

On March 21, 2025, this Court issued an Order granting the supplemental motion to strike. The Court ordered Respondents to serve and file an amended designation of matter within ten (10) days of the date of the Order, omitting the following from their designation: (1) the Appellant's initial appellate brief; (2) the "Magistrate Order for directed verdict and resolution of all claims, July 2024"; and (3) the "Small Claims Remotion for Summary Judgement, filed June 4, 2024." The Court further ordered that Appellant was to serve and file the Record on Appeal within twenty days of receipt of Respondents' amended designation of matter.

As of the date of this filing, April 21, 2025, Respondents have not filed any amended designation or otherwise responded to the Court's directive. The ten-day period for Respondents' compliance expired on March 31, 2025, and more than twenty (20) days have passed without action.

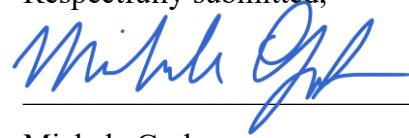
Appellant now seeks to file the Record on Appeal consistent with Appellant's prior designation and in accordance with the Court's March 21, 2025, order striking specific materials.

RELIEF REQUESTED

Appellant respectfully requests that this Court:

1. Settle the Record on Appeal to include only the materials designated by Appellant, excluding all materials previously stricken by this Court's March 21, 2025, Order, and deem Respondents to have waived any right to further designation by failing to comply with the Court's directive;
2. Permit Appellant to proceed with filing the Record on Appeal and continue with appellate briefing in accordance with the South Carolina Appellate Court Rules; and
3. Grant such other and further relief as the Court deems just and proper.

Respectfully submitted,



Michele Graham

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Appellant

April 21, 2025

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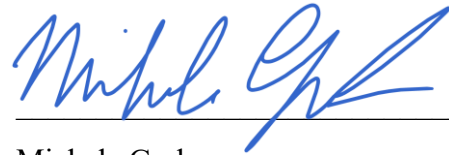
Mark Ciaburri and Adrienne T. Ciaburri,Respondents

PROOF OF SERVICE

I, Michele Graham, hereby certify that I have served the *Motion to Settle the Record on Appeal and Proceed Without Further Delay* to counsel for the Respondents via email and U.S. Mail at:

ted@corveylawfirm.com

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Appellant

April 21, 2025