

The South Carolina Court of Appeals

TDS of Charleston, LLC, Respondent,

v.

Kenneth Edmondson, Appellant.

Appellate Case No. 2024-000756

ORDER

On March 31, 2025, this court denied Respondent's motion to dismiss, ordered Appellant to file and serve a corrected cover page for his initial brief within ten days, struck Appellant's designation of matter filed on January 6, 2025, and ordered Appellant to file and serve an amended designation of matter in compliance with Rule 209 of the South Carolina Appellate Court Rules within ten days. On April 11, 2025, Appellant filed an amended designation of matter, which was served on April 16, 2025.

On April 17, 2025, Respondent filed a renewed motion to dismiss, arguing to dismiss this appeal because Appellant failed to file and serve a corrected cover page for his initial brief and failed to file and serve an amended designation of matter in compliance with Rule 209. Appellant did not file a return. After careful consideration, we dismiss this appeal. *See* Rule 260, SCACR ("Whenever it appears that an appellant or a petitioner has failed to comply with the requirements of these Rules, the clerk shall issue an order of dismissal, which shall have the same force and effect as an order of the appellate court."); Rule 209(a), SCACR (explaining a designation of matter "shall set forth with specificity those parts of the transcript, pleadings, orders, exhibits, or other materials which he proposes to include in the record on appeal"); Rule 209(b), SCACR ("The [d]esignation must clearly identify what the party desires to have included in the [r]ecord on [a]ppeal, and the [d]esignation may only propose to include portions of the transcript, pleadings, orders, exhibits, or other materials which may be properly included in the [r]ecord on [a]ppeal."); Rule 210(c), SCACR (stating the record "shall not . . . include matter which was not presented to the lower court or tribunal"). *Remittitur*

will issue in accordance with Rule 221(b) of the South Carolina Appellate Court Rules.



FOR THE COURT

Columbia, South Carolina

cc:
Kenneth Edmondson
W. Jamison Cox, Esquire
Jesse Sanchez, Esquire

FILED
May 07 2025