

The South Carolina Court of Appeals

Deutsche Bank National Trust Company as Trustee for Home Equity Mortgage Loan Asset-Backed Trust, Series SPMD 2002-B, Home Equity Mortgage Loan Asset-Backed Certificates, Series SPMD 2002-B under the Pooling and Servicing Agreement dated September 1, 2002, Respondent,

v.

Janet L. Nelums a/k/a Janet Nelims, Christopher Nelums, Imperial Warehouse Finance, Inc., and Best Distributing Company, Defendants,

of which Janet L. Nelums and Christopher Nelums are the Appellants.

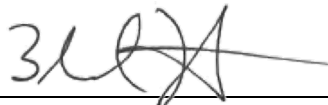
Appellate Case No. 2024-001062

ORDER

Appellants filed the record on appeal on March 5, 2025, and provided a proof of service for the record on the same date. On March 24, 2025, Respondent filed a "motion to compel conformity of the record on appeal," indicating Appellants failed to serve the record on appeal, the filed record on appeal failed to include materials designated by Respondent, and the filed record on appeal contained material not designated by either party. Further, Respondent noted the filed record on appeal is not properly indexed, is out of compliance with the structure required by Rule 210(c) of the South Carolina Appellate Court Rules, and includes superfluous title pages as part of its pagination. No return was filed. After careful consideration, we grant Respondent's motion. Within twenty days of the date of this order, Appellants shall file and serve an amended record on appeal that complies with Rule 210 of the South Carolina Appellate Court Rules. *See* Rule 210(a), SCACR ("[T]he appellant shall serve a copy of the [r]ecord on [a]ppel on each party who has served a brief. Proof of service of the [r]ecord shall be

immediately filed with the clerk of the appellate court."); Rule 210(c), SCACR ("The [r]ecord on [a]ppeal shall include all matter designated to be included by any party under Rule 209."); *id.* ("The [r]ecord shall not, however, include matter which was not presented to the lower court or tribunal."); *id.* (providing the order in which matter in the record on appeal must be arranged and stating that each page shall be numbered consecutively beginning with the index). Failure to comply will result in dismissal of the appeal.

On April 9, 2025, Appellants filed a motion to amend their final brief and conditionally filed their amended final brief. Appellants argued they needed to amend their final brief due to "other impending professional matters and obligations." Appellants did not file a proof of service for their motion. On April 15, 2025, Respondent filed a return, opposing Appellants' request to file an amended final brief because Appellants failed to serve the motion on Respondent, failed to state the grounds for their motion, and sought to expand the issues on appeal. After careful consideration of the filings, we deny Appellant's request to file an amended final brief.



FOR THE COURT

Columbia, South Carolina

cc:

Janet Nelums
Christopher Nelums
Matthew A. Abee, Esquire
Madison Caroline Guyton, Esquire
Jordan Daniel Beumer, Esquire
Vance L. Brabham, III, Esquire
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FILED
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