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SC Court of Appeals

**From:** [Carl Muller](#)  
**To:** [Court Of Appeals Filings](#)  
**Cc:** [Jeff Ross](#); [Philip Cristaldi](#); [John Crawford](#)  
**Subject:** Zitek v. Horton App. Case #2023-001681  
**Date:** Friday, August 8, 2025 4:04:32 PM

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Dear Ms.Kitchings,

I am writing in response to the Court's directive to correct certain deficiencies in the Record on Appeal

After an exhaustive search, I have been unable to locate a better copy of the contract at Vol I, pp 172-184. Nor have we been able to improve it by applying software programs, enlargement or lightening it. The contract is between AJ Landscaping and Crown Communities, dated June 23, 2011. AJ Landscaping is not a party to this appeal. The contract is not central to this case.

This contract is also at Vol II, pp 681-693.

Accordingly, I cannot provide better copies of the above pages for the Record on Appeal. I have even sought a better copy of the contract from the law firm that represented AJ Landscaping in the trial court.

The pages at Vol II, pp 668 - 680 are text from Appellant D. R. Horton's response to various motions for summary judgment and are completely legible in my copy of the Record on Appeal, which bears the filing stamp of the Court. Is there a need to replace these pages?

Likewise, I have not been able to locate a better copy of the contract at Vol III, pp 1,069 - 1,073. However, I have been able to enlarge the existing copy, which seems to have improved it. I shall swap the enlarged copy for the copy now in the Record on Appeal. This contract is between JLS Masonry, Inc. and Appellant D. R. Horton, dated February 11, 2010. As with the AJ contract, I even contacted the law firm that represented JLS in the trial court for a better copy, likewise to no avail.

I have provided the enlarged JLS contract to LegalEagle, here in Greenville, which prepared the original Record on Appeal. We shall then correct the Record as I have described, and in any other respect which the Court shall wish.

Sincerely,

Carl F. Muller

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