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Nov 21 2025
SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM SPARTANBURG COUNTY
Court of Common Pleas
J. Derham Cole, Circuit Court Judge

Case No. 2023-CP-42-02216
Ct. App. No. 2024-002016

Founders Federal Credit Union, Respondent,
v.
Kyle Anthony Tracy, Appellant.

MOTION TO SUPPLEMENT RECORD ON APPEAL

Respondent Founders Federal Credit Union (“Respondent”) respectfully moves for leave to file a Supplemental Record on Appeal in this matter. *See* Rule 212(b), SCACR. On October 13, 2025, Respondent filed its Designation of Matter to Be Included in the Record on Appeal (“DOM”). On October 23, 2025, Appellant Kyle Anthony Tracy (“Appellant”), appearing *pro se* throughout this case, filed the Record on Appeal. The Record on Appeal does not include certain

documents identified by Respondent in its DOM and referenced in Respondent's Final Brief.¹

Pursuant to Rule 212(b), SCACR, undersigned counsel conferred with Appellant regarding the filing of the Supplemental Record on Appeal, and Appellant consented to the same. The proposed Supplemental Record on Appeal was submitted to the Court on November 20, 2025.

s/ Carl H. Petkoff

Suzanne Taylor Graham Grigg (SC Bar No. 70681)
Kyle A. Brannon (SC Bar No. 100550)
MAYNARD NEXSEN PC
1230 Main Street, Suite 700
Columbia, South Carolina 29201
Phone: 803-540-2168
Email: sgrigg@maynardnexsen.com
kbrannon@maynardnexsen.com

Carl H. Petkoff (SC Bar No. 104895)
MAYNARD NEXSEN PC
205 King Street, Suite 400
Charleston, South Carolina 29401
Phone: 843-720-1773
Email: cpetkoff@maynardnexsen.com

*Attorneys for Respondent Founders Federal
Credit Union*

November 21, 2025
Charleston, South Carolina

¹ Specifically, the Record on Appeal does not include: (1) Affidavit of Service (6/28/23); (2) Plaintiff's Notice of Motion and Motion for Judgment on the Pleadings (8/23/23); (3) Affidavit of Attorney's Fees and Costs (8/31/23); (4) Form 4 Order (9/14/23); (5) Plaintiff's Motion for Summary Judgment (8/22/24); (6) Notice of Hearing and Certificate of Service (9/25/24); and (7) Supplemental Affidavit of Attorney's Fees and Costs (10/15/24). In addition, the Record on Appeal omits the verification and other exhibits attached to the Summons and Verified Complaint (6/21/23).

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PROOF OF SERVICE

I certify that on November 21, 2025, I served the foregoing **Motion to Supplement Record on Appeal** on Appellant, who is not represented by counsel, by depositing copies of the same in the United States Mail, postage prepaid, addressed to Appellant as follows:

Kyle Anthony Tracy
590 Cherry Hill Road
Spartanburg, SC 29307

November 21, 2025
Charleston, South Carolina

s/ Carl H. Petkoff