

The South Carolina Court of Appeals

Elizabeth and Melvin Ray, Appellants,

v.

Sunsetter Properties, LLC, Nancy Warner Agent for
Coldwell Banker Residential Brokerage, and Home
Inspection One, LLC, Respondents.

Appellate Case No. 2024-000995

ORDER

On August 27, 2025, Respondents filed a motion to strike the record on appeal (ROA) and amended record on appeal (amended ROA) arguing that Appellants erroneously omitted from the ROA and amended ROA two materials designated by Respondent, Home Inspection One, LLC (HIO)—Item 6 and Item 8—and included a deposition notice not designated by any parties. Appellants filed a return to the motion to strike on September 8, 2025, and on September 12, 2025, Appellants filed a motion for leave to file an amended memorandum in opposition to Respondents' motion to strike. On September 22, 2025, Respondents filed a return consenting to Appellants' motion for leave to amend. On November 13, 2025, this court granted Appellants' motion to amend their memorandum in opposition to Respondents' motion to strike. On December 4, 2025, Appellants filed an amended memorandum in opposition to the motion to strike. On December 19, 2025, Respondent HIO filed a reply to Appellants' amended memorandum in opposition to Respondents' motion to strike.

After careful consideration, we grant Respondent's motion to strike the record on appeal and amended record on appeal. Within ten days of the date of this order, Appellants shall file a second amended record on appeal that includes HIO's designated Item 6 and Item 8 and shall strike the deposition notice included at pages 10–11 of the amended ROA. Appellants and Respondents shall file their Final Briefs within twenty days of the date of this order.

Kristi Curtis

FOR THE COURT

Columbia, South Carolina

cc:

Reagan Singletary, Esquire

Demetri K. Koutrakos, Esquire

Derek Michael Newberry, Esquire

Mark Shanter Chaparro, Esquire

FILED
Jan 12 2026
