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SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM CHARLESTON COUNTY
Court of Common Pleas

The Honorable Jennifer McCoy, Circuit Court Judge

Case No. 2023-CP-10-01923

JEFFREY CEPIN,..... Plaintiff,

v.

SAMET CORPORATION; METROMONT CORPORATION n/k/a METROMONT, LLC,
.....Defendants.

RESPONDENT METROMONT CORPORATION N/K/A METROMONT, LLC, RESPONSE
TO APPELLANT’S MOTION TO FOR TRANSCRIPT CORRECTION

s/Michael M. Trask

R. Trippett Boineau, III

Michael M. Trask

Post Office Box 12519

1320 Main Street, 10th Floor (29201)

Columbia, South Carolina 29211

(803) 779-2300

Attorneys for Respondent Metromont Corporation

n/k/a Metromont, LLC

Respondent Metromont Corporation n/k/a Metromont, LLC (hereinafter referred to as “Respdent”), by and through the Undersigned Counsel, hereby respond in opposition to the Plaintiff’s Motion for Transcript Correction in this action. A review of the applicable Rules of Appellate Procedure confirm there is no such motion available to Appellant in this action. This is further underscored by Appellant’s failure to cite to any rule or authority supporting his Motion. Perhaps even more concerning is the lack of evidence to support Appellant’s audacious claims against the court reporter. There is no audio recording or any other proof that the transcript was manipulated or transcribed incorrectly. Appellant’s Motion ignores the certification by the court reporter that the transcript is true, accurate and complete. Appellant’s Motion is frivolous and should be denied.

What is clear is the Appellant is in possession of the transcript and failed to notify the Court of the same pursuant to Rule 207(a) of the Rules of Appellate Procedure. Appellant’s conscious disregard for the applicable rules has prejudiced Respondents. Appellant has additional time outside the parameters in the applicable Rules of Appellate Procedure to brief his argument. Of course, Respondents will not receive this same “extension” Appellant has bestowed upon himself. For that reason, this Court should dismiss this appeal as a show that the rules matter and to not reward Appellant for his refusal to comply with the applicable rules.

CONCLUSION

For the reasons stated above, this Court should deny Appellant’s Motion for Transcript Correction and dismiss this appeal.