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Apr 21 2026

SC Court of Appeals

**THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS**

APPEAL FROM CHARLESTON COUNTY
COURT OF COMMON PLEAS
THE HONORABLE COURTNEY CLYBURN POPE
CIRCUIT COURT JUDGE

APPELLATE CASE NO. 2025-000808
CIVIL ACTION NO. 2023-CP-10-02263

Jeronimo Hernandez Jimenez,

APPELLANT,

versus

Rolando Medrano,

RESPONDENT.

**MOTION TO STRIKE APPELLANT'S DESIGNATION
OF MATTER TO BE INCLUDED IN THE RECORD ON APPEAL AND
PORTIONS OF THE INITIAL APPELLANT'S BRIEF AND TO STAY
DEADLINE FOR FILING OF THE RESPONDENT'S INITIAL BRIEF AND
DESIGNATION OF MATTER TO BE INCLUDED
IN THE RECORD ON APPEAL**

Respondent Rolando Medrano moves to strike certain designated matters from the Designation of Matter to be Included in the Record on Appeal submitted by Appellant Jeronimo Hernandez Jimenez on February 23, 2026 to the Court because these matters were not presented to the circuit court below. In addition, Respondent moves to strike those portions of the Initial Appellant's Brief which rely upon matters not presented to the circuit court and to stay the deadline for the filing of Respondent's Initial Brief and Designation of Matter to be Included in the Record on Appeal until thirty (30) days after receipt of a corrected Initial Appellant's Brief and Designations.

Rule 210(c) of the South Carolina Appellate Court Rules provides the “Record shall not . . . include matter which was not presented to the lower court or tribunal.”

Appellant has designated the following materials which were not presented to the circuit court:

1. the October 29, 2020 deposition of Jeronimo Hernandez Jimenez;
2. the full May 20, 2024 deposition of Jeronimo Hernandez Jimenez;
3. the November 17, 2020 Deposition of Rolando Medrano;
4. the full May 20, 2024 deposition of Rolando Medrano;
5. the April 1, 2021 deposition of Alfredo Hernandez Castro; and
6. Defendant’s Responses to Plaintiff’s Requests for Admissions.

The entirety of these materials were not presented to and considered by the circuit court below.

The following is a list of the exhibits which were submitted to the circuit court on summary judgment briefing by the parties:

Exhibits Supporting the Motion for Summary Judgment filed by Respondent on June 6, 2024:

- A. May 20, 2024 Deposition Excerpts of Jeronimo Jimenez (pp. 1-3, 8, 13, 22, 24-26, 37-38);
- B. May 20, 2024 Deposition Excerpts of Rolando Medrano (pp. 1-3, 11, 15, 19, 32-33); and
- C. Settlement Agreement and Release.

Exhibits Supporting Appellant’s Memorandum in Opposition to Motion for Summary Judgment filed January 7, 2025:

- 1: Map;
2. Medical Opinion;
3. April 1, 2021 Deposition of Jorge H. Ramirez; and
4. Settlement Agreement and Release.

Exhibits Supporting Respondent's Reply Brief in Support of Motion for Summary Judgment filed January 29, 2025:

D. May 20, 2024 Deposition Excerpts of Jeronimo Jimenez (pp. 22, 31, 37-38).

Respondent's counsel notified Appellant's counsel of the deficiency in including material not presented to the circuit court on April 8, 2026. See Ex. A (E-mail).

Accordingly, Respondent respectfully requests this Court to strike the matter designated by Appellant which was not presented to the circuit court and require Appellant to designate and include in the Record on Appeal only that material presented to the circuit court as required by Rule 210(c) of the South Carolina Appellate Court Rules.

Further, in conjunction with the motion to strike the Designations, Respondent also moves to strike those portions of the Initial Appellant's Brief which cite to material not presented to the circuit court (including references to the November 17, 2020 deposition of Rolando Medrano on pages 2, 3, and 5 of the brief).

Finally, Respondent requests this Court to stay the deadline for the filing of his Initial Respondent's Brief and Designation of Matter to be Included in the Record on Appeal until thirty (30) days after receipt of the corrected Initial Appellant's Brief and Designation of Matter to be Included in the Record on Appeal.

Respectfully submitted,

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April 21, 2026

EXHIBIT “A”

From: [Carmen Ganjehsani](#)
To: jfester@johnsonslawoffice.com; wpj@johnsonslawoffice.com; filing@johnsonslawoffice.com; [Laura McKenzie](#)
Cc: [Payton Hoover](#); [Thomas A Bendle, Jr.](#)
Subject: Jimenez v. Medrano Appellate Case No. 2025-000808
Date: Wednesday, April 8, 2026 3:49:00 PM


I was reviewing the Appellant's Designation of Matter to be Included in the Record on Appeal in the above-referenced case and noticed several items designated which do not appear to have ever been filed or presented to the trial court. This includes the following:

1. October 29, 2020 deposition of Jeronimo Hernandez Jimenez;
2. The full May 20, 2024 deposition of Jeronimo Hernandez Jimenez (only pages 1-3, 8, 13, 22, 24-26, 31 and 37-38 were attached to Defendant's motion for summary judgment and reply);
3. November 17, 2020 Deposition of Rolando Medrano;
4. The full May 20, 2024 deposition of Rolando Medrano (only pages 1-3, 11, 15, 19, and 32-33 were attached to Defendant's motion for summary judgment);
5. April 1, 2021 deposition of Alfredo Hernandez Castro; and
6. Defendant's Responses to Plaintiff's Requests for Admissions.

Under Rule 210(c), SCACR, the record shall not contain any material which was not presented to the lower court.

Therefore, I believe these materials should be struck from your Designations and not included in the Record on Appeal. If I am mistaken, please let me know. Otherwise, please advise if you will strike these materials or if I will need to file a motion with the Court of Appeals.

Thank you,
Carmen Ganjehsani

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CERTIFICATE OF SERVICE

I, the undersigned, attorney for Respondent, Rolando Medrano, do hereby certify that I have this date served the foregoing Motion to Strike Appellant's Designation of Matter to Be Included in the Record on Appeal and Portions of the Initial Appellant's Brief and to Stay Deadline for Filing of the Respondent's Initial Brief and Designation of Matter to Be Included in the Record on Appeal, dated April 21, 2026, by personally serving the same pursuant to Section (d)(1) of the Supreme Court's Amended Order dated April 24, 2024, on the following counsel of record using the primary email addresses listed in the Attorney Information System (if applicable):

Joshua Reece Fester
Warren Paul Johnson
Darrell T. Johnson, Jr.
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Attorneys for Appellant

A copy of the sent email is enclosed with this Certificate of Service.

/s Carmen V. Ganjehsani
Carmen V. Ganjehsani
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(803) 771-4400
Attorneys for Respondent
Rolando Medrano


Date: April 21, 2026.

From: [Carmen Ganjehsani](#)
To: "jfester@johnsonslawoffice.com"; "wpj@johnsonslawoffice.com"; "filing@johnsonslawoffice.com"; "[Laura McKenzie](#)"
Cc: [Payton Hoover](#); "[Thomas A Bendle, Jr.](#)"
Subject: Jimenez v. Medrano Appellate Case No. 2025-000808
Date: Tuesday, April 21, 2026 4:33:00 PM
Attachments: [2025-000808 Jimenez v. Medrano \(Mtn to Strike\).pdf](#)

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Please find served upon you the Respondent's Motion To Strike Appellant's Designation of Matter to be Included in the Record on Appeal and Portions of the Initial Appellant's Brief and to Stay Deadline for Filing of the Respondent's Initial Brief and Designation of Matter to be Included in the Record on Appeal in the above-referenced appeal.

Carmen Ganjehsani

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