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May 15 2026

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM FLORENCE COUNTY
Court of Common Pleas
The Honorable W. Haigh Porter
Master in Equity for Florence County

Appellate Case No. 2025-002310

Lakeview Loan Servicing, LLC, Respondent,

v.

Allison Shavonne Smith and Alligator West Homeowners Association, Defendants,

Of which Allison Shavonne Smith is the Appellant.

MOTION TO CORRECT AND SUPPLEMENT THE RECORD ON APPEAL AND MOTION FOR
EXTENSION OF TIME TO FILE RESPONDENT'S FINAL BRIEF

J. Martin Page (SC Bar No.: 100200)
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Attorneys for Respondent

Pursuant to Rules 210 and 212 of the South Carolina Appellate Court Rules (“*SCACR*”), Respondent respectfully moves this Court for an Order correcting, supplementing, and settling the Record on Appeal (“*Record*”) to: (1) include Respondent’s Designation of Matter which was omitted from the Record transmitted to the Court; (2) strike and remove matters improperly included in the Record that were not presented to or considered by the trial court and are not properly preserved for appellate review; and (3) correct inaccuracies and alterations appearing in the Record that do not accurately reflect the original trial court record. Based on the foregoing, Respondent also respectfully moves this Court for an extension of time within which to file Respondent’s Final Brief pursuant to Rule 263, SCACR.

In support of its Motions, Respondent states as follows:

1. This appeal arises from the Order of the trial court filed on or about October 14, 2025.
2. Appellant served and filed the Notice of Appeal on or about November 13, 2025.
3. Respondent timely served and filed Respondent’s Designation of Matter pursuant to the SCACR on or about March 23, 2026.
4. Upon review of the Record on Appeal, Respondent discovered that Respondent’s Designation of Matter was omitted from the Record transmitted to this Court.
5. Respondent’s Designation of Matter is material to the proper consideration of the issues raised on appeal and should be included as part of the official Record pursuant to Rules 210 and 212, SCACR.
6. Respondent has additionally identified materials included in the Record that were not presented to the trial court, admitted into evidence, made part of the record below, or otherwise considered by the trial court in rendering its decision. For example, the documents entitled “Testimony of Allison Shavonne: Smith,” “Charge,” and “Request to Charge” among others are not part of the trial court record and are not properly preserved for appellate review.
7. Respondent has further identified portions of the Record that do not accurately reflect the original trial court record because documents, filings, transcripts, or record materials appear to have been altered, modified, changed, supplemented, reformatted, or otherwise presented in a manner inconsistent

with the original materials filed with or maintained by the trial court. For example, the Order Granting Plaintiff Lakeview Loan Servicing, LLC's Motion for Summary Judgment filed on October 14, 2025 adds "Order of October 14, 2025" to the top of the document, which shifted the paragraphs of the document to different pages than what is reflected in the original filed order, and also omits pages 9-11 of the original filed order. Inaccuracies such as these are pervasive throughout the entire Record.

8. The foregoing inaccuracies and alterations materially affect the accuracy and integrity of the Record and risk presenting matters to this Court that were not part of the authentic record before the trial court.

9. The appellate courts of South Carolina are limited to review of matters properly presented to and ruled upon by the lower court, and the Record must accurately and faithfully reflect the proceedings and filings before the trial court.

10. Pursuant to Rules 210 and 212, SCACR, this Court possesses authority to correct, modify, supplement, and settle the Record so that it accurately reflects the true and original record before the trial court.

11. Respondent is informed and believes that (a) the omission of Respondent's Designation of Matter was inadvertent and clerical in nature; (b) the inclusion of matters not presented to the trial court is improper and contrary to the SCACR governing preservation and appellate review; and (c) the inaccuracies and alterations identified herein should be corrected so that the Record conforms to the authentic trial court record.

12. Upon information and belief, Respondent's Final Brief is currently due on or about May 20, 2026.

13. The foregoing issues raised with the Record directly affect the contents, scope, and accuracy of the Record upon which Respondent's Final Brief must necessarily rely.

14. Respondent cannot fully and accurately prepare the Final Brief until the Record is properly corrected, supplemented, and settled by the Court.

15. Proceeding with briefing prior to the resolution of the foregoing issues with the Record risks unnecessary confusion, inaccurate citations to the Record, prejudice to Respondent, and inefficiency in the appellate process.

16. This request is made in good faith and not for the purposes of delay.

WHEREFORE, Respondent respectfully requests this Court enter an Order:

- a. Supplementing the Record to include Respondent's Designation of Matter attached hereto as Exhibit A;
- b. Striking and removing the improperly included materials identified above from the Record;
- c. Correcting the Record to conform to the original and authentic trial court record;
- d. Directing the Clerk of Court and/or Appellant to utilize the original trial court filings, transcripts, and materials maintained by the trial court in preparing any corrected Record;
- e. Directing the Record reflect only those matters properly presented to and considered by the trial court;
- f. Extending the deadline for Respondent to file its Final Brief until thirty (30) days after the entry of the Court's Order correcting, supplementing, and striking portions of the Record; or, alternatively, suspending the current briefing deadline pending resolution of the pending motion concerning the Record; and
- g. Granting such other and further relief as this Court deems just and proper.

RESPECTFULLY SUBMITTED,

/s/J. Martin Page

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*Attorneys for Respondent Lakeview Loan
Servicing, LLC*

Dated: May 15, 2026

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Of which Allison Shavonne Smith is the Appellant.

MOTION TO CORRECT AND SUPPLEMENT THE RECORD ON APPEAL AND MOTION FOR
EXTENSION OF TIME TO FILE RESPONDENT'S FINAL BRIEF

I, the undersigned employee of Bell Carrington Price and Gregg, LLC, do hereby certify that on May 15, 2026, I have served Appellant Allison Shavonne Smith with a copy of Respondent's Motion to Correct and Supplement the Record on Appeal and Motion for Extension of Time to File Respondent's Final Brief by mailing it to him/her, at his/her last known address, by depositing it in the U.S. mail, in an envelope with sufficient postage affixed, addressed as follows:

Allison Shavonne Smith
3805 Bobcat Trail
Timmonsville, SC 29161

Dated: May 15, 2026

/s/J. Martin Page

J. Martin Page (S.C. Bar No.: 100200)
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*Attorneys for Respondent Lakeview Loan
Servicing, LLC*

EXHIBIT A

RECEIVED

Mar 23 2026

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THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM FLORENCE COUNTY
Court of Common Pleas

The Honorable W. Haigh Porter, Master-in-Equity

Appellate Case No. 2025-002310
Case No. 2014-CP-21-00723

Allison Shavonne Smith, Appellant,

v.

Lakeview Loan Servicing, LLC, Plaintiff,

Of Whom Lakeview Loan Servicing, LLC is the Respondent.

Designation of Matter of Respondent

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*Attorneys for Respondent Lakeview Loan
Servicing, LLC*

Respondent Lakeview Loan Servicing, LLC proposes that the following additional items be included in the Record on Appeal in connection with its Brief of Respondent:

1. Plaintiff Lakeview Loan Servicing, LLC's Lis Pendens, Summon and Complaint filed on March 22, 2024;
2. Plaintiff Lakeview Loan Servicing, LLC's Affidavit of Service on Defendant Allison Shavonne Smith filed on March 28, 2024;
3. Defendant Allison Shavonne Smith's Answer and Counterclaim filed on March 27, 2024;
4. Plaintiff Lakeview Loan Servicing, LLC's Reply to Counterclaim filed on April 1, 2024;
5. Defendant Allison Shavonne Smith's Response to Plaintiff's Counterclaim filed on April 11, 2024;
6. Defendant Allison Shavonne Smith's Motion to Dismiss filed on May 13, 2024;
7. Defendant Allison Shavonne Smith's Motion/Oter filed on May 31, 2024;
8. Order Form 4 Motion to Dismiss Denied/Referred to Master filed on June 17, 2024;
9. Plaintiff Lakeview Loan Servicing, LLC's Motion for Summary Judgment filed on September 10, 2024;
10. Plaintiff Lakeview Loan Servicing, LLC's Notice of Hearing and Certificate of Service filed on September 9, 2025;
11. Plaintiff Lakeview Loan Servicing, LLC's Affidavit of Debt filed on September 22, 2025;
12. Plaintiff Lakeview Loan Servicing, LLC's Affidavit of Attorney Fees filed on September 22, 2025;
13. Plaintiff Lakeview Loan Servicing, LLC's Note, Mortgage, and Assignment filed on September 22, 2025;
14. Plaintiff Lakeview Loan Servicing, LLC's Memorandum in Support and Exhibits filed on October 7, 2025;
15. Order Granting Plaintiff Lakeview Loan Servicing, LLC's Motion for Summary Judgment filed on October 14, 2025.

RESPECTFULLY SUBMITTED,

Dated: March 23, 2026

/s/J. Martin Page

J. Martin Page S.C. Bar No.: 100200
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