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SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM RICHLAND COUNTY
Court of Common Pleas

Daniel Coble, Circuit Court Judge
Case No.: 2025-CP-40-06986

Appellate Case No. 2026-000774

Brandi Barnett and Kevin Rubink,.....Plaintiffs,

v.

Luke Shealey, Brian Shealey, and Shealey Law Firm, LLC,.....Defendants,

of which Brandi Barnett is the Appellant and Luke Shealey is the..... Respondent.

PROOF OF SERVICE

I certify that I have served ***Respondents' Final Brief***, upon the parties below by electronic mail, addressed as follows:

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Pro se Appellant

This 8th day of October, 2026.

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October 8, 2026

VIA EMAIL ONLY

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SC Court of Appeals

Re: *Brandi Barnett and Kevin Rubink, Plaintiffs v. Luke Shealey, Brian Shealey, and Shealey Law Firm, LLC, Defendants of which Brandi Barnett is the Appellant and Luke Shealey is the Respondent*
Appellate Case No.: 2026-000774
Case No.: 2025-CP-40-06986

Dear Ms. Kitchings:

As you know, we represent the Respondent, Luke Shealey, in the above-referenced matter. We received the Record on Appeal prepared by Ms. Barnett and filed with the Court on or about September 18, 2026. We write to advise the Court that certain matters contained within the Record on Appeal do not comply with Rule 210(c), SCACR, as the matters were not presented to the lower court in rendering the Order that is being appealed from. These documents include:

- R. pp. 17-22 – Motion to Strike, for Sanctions, and for Other Relief, dated February 4, 2026, and filed in Case No. 2025-CP-40-04675;
- R. pp. 22-29 – The Order, dated February 25, 2026, and entered in Case No. 2025-CP-40-04675;
- R. p. 30 – A copy of the Fee Disputes Board's letter enclosing its file, and filed in Case No. 2025-CP-40-04675;
- R. p. 31 – Email between Appellant and Respondent Re: Termination dated May 20, 2024; and
- R. pp. 200-211 – Appellant's Motion for Relief from Judgment and Sanction/Prefiling Order Pursuant to Rule 60(b)(3), 60(b)(4), and 60(b)(6), SCRCP, and Motion to Vacate or Clarify Sanction-Related Findings, dated May 14, 2026 (filed after the lower court's Order was entered).

Because these matters were not presented to the lower court in connection with Case No. 2025-CP-40-06986, or the lower court's Order, Respondent respectfully requests that the Court strike these matters from the Record on Appeal and not consider them in connection with this pending appeal. Thank you for your time and consideration.

Sincerely,

s/Douglas W. MacKelcan

DOUGLAS W. MACKELCAN
TAYLOR L. CARY

DWM:tjr

cc: Brandi Barnett (via email: bbarnett3@gmail.com)