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October 8, 2026

VIA EMAIL ONLY

The South Carolina Court of Appeals
Jenny Abbott Kitchings, Clerk
Calhoun Building
1220 Senate Street
Columbia, SC 29201
ctappfilings@sccourts.org

RECEIVED

Oct 08 2026

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), SCRCRCP, 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

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