

THE SOUTH CAROLINA COURT OF APPEALS

71548

Appellate Case 2012-213208
Lower Court Case no: 2012-CP-18-539

Pages 1 of 4
Exhibits - 18

Roger L. Whaley, Pro se)	Appellant/Plaintiff Whaley's
)	MOTION for Rehearing/or Reconsideration
Appellant/Plaintiff,)	Pursuant with Rule SCACR 221(a) ¹
v.)	UPHELD by Appeals Court's ONLY provided Case Law
)	"Henning v. Keye, 307, S.C. 436,437,415 S.E.2d 794 (1992)"
South Carolina Federal Credit Union)	Actually Supports Appellant/Whaley's ²
and Bank of America,)	Motion for Rehearing, MUST BE GRANTED; DUE also to Appeals
)	Court's Shown continued! Errors/or Bias
Respondent/Defendants.)	See Exh. A,AA,AAA; Exhibits 1,2,4, 4-a, 5, 5-a

COMES NOW, pro se Appellant/Plaintiff Roger L. Whaley (Appellant/ Whaley) filing timely the above said Petition/or/Motion, regarding this Appeals Court's "ORDER" dated "2/27/2014" with its Only! GOVERNING Case Law "Henning v. Keye, 307 S.C. 426,437,415 S.E.2d 794 (1992)", as Appellant/Whaley files pursuant with SCACR Rule 221(a),(b)&(c), to show this said Appeals Court's continued Overlooked Errors, and/or Misapprehensions/or/intentional/research found Bias Interest (pursuant under the Rules of Canon-for possible Misconduct) -which involves BOTH said RESPONDENTS/BOA and SCFCU's own! Documented alleged Evidence (provided within the said Lower Trial Court and within this said Appeal Court) involving this said Appeals (and Supreme) Court(s) Board Member/Mr. Beattie B. Ashmore/as being governed by an alleged FEDERAL!!!! Court appointed Receiver Law - so to interfere with a STATE!!!! Court appointed Receiver-Law, which said interference has caused GREAT CONFUSIONS with this said STATE!! Court(s)! case matter involving this Appellant/Whaley's ONLY! filed Claims, that were filed first! ONLY within the said Supreme Court pursuant with SCACR Rule 203(d)(1)(A)(ii). *(See Apl Ct's LT 5-21-13/Exh. 4-a).

¹ SCACR 221(a) - "...[a] Rehearing. Petitions for rehearing must be actually received by the appellate court no later than fifteen (15) days after the filing of the opinion, order, judgment, or decree of the court. A petition for rehearing shall be in accordance with Rule 240, and shall state with particularity the points supposed to have been overlooked or misapprehended by the court."

² Edward L. HENNING...v. Herbert KAYE...Appeals ruled states: "...Although this Court would be completely justified in dismissing this appeal based on appellant's numerous violations of the Rules, WE DECLINE to do so and DENY the MOTION to DISMISS..."

A: Whereas, the attached UNDISPUTED Appeals Court's OWN! signed documented EVIDENCE, as well as RESPONDENT's, and! the said LOWER TRIAL COURT'S REPORTER, own! shown! WRITTEN signed! ADMITTANCE!! (See Exhibits A, AA & AAA; Exh. 2,4, 4-a, 5, 5-a, 5-aaa,5-b, 5-b-1,5-b-2) shows Appellant/Whaley's always!! COMPLIED (and CORRECTED!! this Appeals Court's ORDERED/or Requested DEFICIENCIES- which IS! INCOMPLIANCE! with this Appeals Court's RECENT! /or attached FINAL!! ORDER -Date 2-27-2014) ...which shows and DEFEATS this said Appeals Court's CONFUSION!and or when this Appeals Court "OVERLOOKED or Misapprehensions" its OWN!! ADMITTANCE!! in the attached APPEALS Court's LETTER dated "MAY 21, 2013" - SHOWING this said S.C. STATE SUPREME!! COURT! "(FOR OVER!! about a YEAR!!) had within the S.C. APPEALS COURT'S PRESONAL!! filed! POSSESSION!! Appellant/Whaley's actual FILED NOTICE OF APPEAL and AMENDMENT of his -Ordered/or Requested Amended NOTICE OF APPEAL - Held ONLY!! in the SUPREME COURT for the COMPLETE!!! YEAR 2012!! - UP until this said APPEALS COURT'S attach LETTER (Exh. - DATE! "MAY 21, 2013!!") - which this APPEALS COURT - in Error! or due to BIAS said PERSONAL!! INTEREST, of this Appeals & SUPREME Courts' OWN!! BOARD MEMBER!!/as being an alleged FEDERAL!!!! RECEIVER - Mr. BEATTIE B. ASHMORE, whom!! this APPEALS COURT excepted! - ONLY!! BOTH!! said named RESPONDENTS!! BOA, and SCFCU - provided DOCUMENTED!! EVIDENCE!! - that Joined!! - FEDERAL!!! COURT LAW(s)/or QUESTION(s) that INTERFERED with an ONGOING!and/or completed STATE!!! Court's ALREADY! filed ORDERED Decisions - in which BOTH!! said RESPONDENTS! and! this said APPEALS COURT - alleges/or ADMITS! involves the SAME! Identical CLAIMS - involving this Appellant Whaley's FILED!! STATE!! COURT! CLAIMS. Therefore, shows and supports WHY! Appellant/Whaley ONLY FILED his said NOTICE of APPEALS!and AMENDMENT NOTICE OF APPEAL within the said SUPREME COURT - pursuant with SCACR - Rule 203(d)(1)(A)(ii) (See Exh. 1,2,) shows Appellant/Whaley ALWAYS CORRECTED any! requested/or ORDERED Deficiencies, as Ordered said COURT(s). Which Defeats/or shows this said Appeals Court's continued OVERLOOKED ERRORS, and/or Misapprehensions, pursuant with SCACR 221(a),(b)&(c).

RECEIVED
1

MAR 13 2014

SC Court of Appeals

As the following is further numbered stated:

1. This Appeals Court's attached Final Order dated "2/27/2014" was written in ERROR/or/duo to Bias Interest fraudulently/or in error wrote that this Appeals Court's said Final Order of 2/27/2014 was governed/or ruled that its final decision was pursuant only with the State case law "Henning v. Kaye, 307 S.C. 436,437,415 S.E.2d 794(1992)", which in Error!!/or otherwise wrote! that - "...Appellate Court is JUSTIFIED in DISMISSING an Appeal based on an Appellant's FAILURE to COMPLY with the South Carolina Appellate Court Rules...", which is an Erred!! Overlooked/or Misapprehended NON-COMplete written above said QUOTED STATEMENT made (appeared Intentionally) by this said Appeals Court's said signed Officials, which the said ordered Ruling in that said matter involves the lower trial court's ORDERED TRANSCRIPT, by that said Appellant, pursuant with Rule 207(b)(4), which this Appeals Court did not COMPLETE its above said case law STATEMENT*(See Ex. 6,6a,6b,) that's written -

*... Although this Court WOULD BE COMPLETELY JUSTIFIED in DISMISSING this APPEAL based on Appellant's numerous Violations of the Rules, WE DECLINE!!! to DO SO and DENY!!! the MOTION! TO! DISMISS! *438 as to the Hennings. Instead, APPELLANT SHALL, within (15) days of this Order, serve and FILE an INITIAL BRIEF that does fully comply with Rule 207, SCACR. NO!!! CHANGES!! SHALL!! be MADE! to APPELLANT's ARGUMENTS! except that Appellant MAY!! ADD!! CITATIONS!! to! the Cases!! LISTED! in the Current!! Table of Authorities and References to the Record as provided in Rule 207(b)(4)." ³

2. Therefore the above said complete quotation in no. 1, shows this Appellate Court's said Final Order dated "2/27/2014" Overlooked/or/Misapprehended this Appeals Court's OWN! FILED! attached signed LETTERS dated "September 25, 2013"/ Exh. AA; "MAY 21, 2013", and "AUGUST 23, 2013", along with the attached Lower Trial Court's signed LETTER dated "November 10, 2012" (Exh. 4) from the said lower CIRCUIT COURT REPORTER, Ms. Brenda J. Sigwald, whom this said Appeals Court's officials were also in personal contacts, shows the Lower Trial Court's COURT REPORTER who wrote that the Appellant - "...Mr. Whaley...This is to acknowledge that on NOVEMBER 9, 2012!! I RECEIVED YOUR LETTER and PAYMENT for the TRANSCRIPT of Record in the above matter." - although! the SECOND! Different Court Reporter, did not type and delivered its requested Transcript until in the YEAR 2013, as to WHY this said Appeals Court allowed this Appellant/Whaley to file its INITIAL BRIEF/and DESIGNATION of MATTER in the YEAR 2013.

*(See attached Exh. 5-a, & Exh. AA from Apl Ct); supports Appellant/Whaley's motion for rehearing/or reconsideration must be Granted, pursuant with Rule 221[a],[b],[c], which is upheld by this Appeals Court OWN Case LAW "Henning v. Kaye, 307 S.C. 426,437,415 S.E.2d 794 (1992)".

2a): This Appeals Court's Final Order 2/27/2014 in Error/or otherwise, OVERLOOKED the FACT that Appellant/Whaley requested TWO! DIFFERENT Transcripts!! from two different!! Lower Trial Court Reporters, which the last Transcript was not Delivered until in the YEAR 2013, which Appellant/Whaley immediately! provided to this Appeals Court, along with many other filed Lower Trial Court's pleadings attached with his Initial Brief & Designation of matter - but ALL said attachments were RETURNED!! by said Appeals Court to this Appellant/Whaley (See Exh. AA dated "September 25, 2013"), but SHOWS! this Appeals Court accepted!! Appellant/Whaley's INITIAL BRIEF, although it showed Deficiencies to be CORRECTED, which ONLY! ordered Appellant/Whaley to file as his CORRECTION, Appellant/Whaley's said DESIGNATION of MATTER, in which this said Appeals Court indeed ACCEPTED *(See Exh. AA), although! this said Appeals Court admits!! it RETURNED all! of Appellant/Whaley's ATTACHED DOCUMENTED EVIDENCE, which included Appellant/Whaley's

³ SCACR Rule 207(b)(4) - states "... Failure to Receive Transcript. If appellant has not received the transcript within the allotted time nor received notification of an extension within ten (10) days after the allotted time, appellant shall notify the clerk of the appellate court, and the administrative tribunal in writing."

Transcript(s), therefore made this said Appeals Court's RETURNING of Appellant/Whaley's said Documented EVIDENCE - when against SCACR Rule 210(a)&(c). ⁴ And is pursuant with Case Law "Henning v. Kaye, 307 S.C. 436,437,415 S.E.2d 794(1992)" - which NEVER!! SUPPORTED for this said Appeals Court to "DISMISSED" Appellant/Whaley's Appeals Case matter. (See above QUOTE, in number 1)

3. WHEREAS, this Appeals Court's own! filed attached said above signed documents, along with the signed written admittance! also by the Respondent/SCFCU, in its document(s) dated "October 22, 2013", "September 10, 2013", shows and supports this Appeals Court's Overlooked the FACT, as to this Appeals Court's known and UNDISPUTED possible shown BIAS Personal INTEREST - actually!! Overlooked!! with BOTH said named Respondents BOA and SCFCU, Never! filed neither! of their Appeals ORDERED! Initial Briefs and Designations (See Exhibits AA, AAA; & Exh. 5), when SCFCU's hired Attorney(s) indeed ADMITS! /or shows that this said Appeal Court's 2/27/2014 FINAL ORDER/as well as this said Appeals Court's prior filed Order(s) - provided SPECIAL FAVORS to the RESPONDENT/BOA - since! Respondent/SCFCU ADMITS that SCFCU's hired Attorneys ONLY requested for this said Appeals Court to Grant an EXTENSION to file its Initial Brief and Designation (of OCTOBER 4, 2013) so to file on the DATE "November 4, 2013", but! SCFCU also! never! filed on the date November 4, 2013, and this said Appeals Court NEVER! Cancelled SCFCU the date November 4, 2013 for SCFCU so to have property and legally filed its required/and ORDERED Initial Brief and Designation of matter by!! the date November 4, 2013. *(See Exh. 5-a and Exh. AA) supports Appellant/Whaley's MOTION for Rehearing must be Granted;

3a): This Appeals Court in error/or otherwise, OVERLOOKED its own! recorded records which shows the RESPONDENT/BOA - NEVER! filed for ANY KIND of EXTENSION from this Appeals Court's ORDER and/or LETTER dated SEPTEMBER 25, 2013" and "SEPTEMBER 27, 2013" which wrote that "...OUR RECORDS REFLECT the RESPONDENTS'!!!! Initial Brief and Designation of matter ARE DUE!! on! OCTOBER 4, 2013..." - which RESPONDENT/BOA MUST have filed BOA's UNTIMELY FILED Motion to Dismiss before! or on the Date!! of OCTOBER 4, 2013, although this said Appeals Court's officials IN ERROR/or due to known BIAS PERSONAL said INTEREST accepted RESPONDENT/BOA's untimely/and FRAUDULENT Claims in BOA's Untimely filed MOTION TO DISMISS that was filed on the date "OCTOBER 22, 2013", in which this Appeals Court's own! filed 2/27/2013 CASE LAW "Henning v. Kaye, 307 S.C. 436,437,415 S.E.2d 794(1992)" shows that said APPEALS COURT "...DECLINED TO...DISMISS...as to Hennings." and to "...SETS FORTH with!! SPECIFICITY the EXHIBITS!!!! and OTHER!!! MATTER he Wishes! to INCLUDE! in the RECORD on APPEAL.";

⁴ Rule 210(c) - states "...Matter contained in the Record on Appeal shall be arranged in the following order: the title page, index, orders, judgments, decrees, decisions, pleadings, transcript, charges, EXHIBITS and other materials or DOCUMENTS, and a certificate by appellant." -

WHICH indeed! this said Appeals Court OVERLOOKED the ACTUAL FACTS that this said Appeals Court ACCEPTED!! Appellant/Whaley's filed INITIAL BRIEF!! and FILED DESIGNATION!! as being CORRECTED Ordered Deficiencies. *(See Exh. AA - when this Appeals Court ORDERED!! BOTH!! named RESPONDENTS!!! to file WITHIN (30) days, OR by the date "OCTOBER 4, 2013" Each! of said Respondents! REQUIRED "Initial Briefs" and "Designation of Matters" - which this said Appeals Court officials in ERROR/or due to BIAS known personal INTEREST - NEVER! Enforced! NEITHER! said named RESPONDENTS! to have COMPLIED! with the said South Carolina Appellate Rules and Procedures - to file NEITHER of their INITIAL BRIEFS and DESIGNATIONS! Due to RESPONDANTS! ONLY! Volunteered!! JOINT APPEARANCE of a (illegal/and Unethical) FEDERAL!!! Appointed (alleged) Receiver/Mr. BEATTIE B. ASHMORE (whom both said RESPONDENTS/BOA and SCFCU alleges has a SPECIAL INTEREST, and! who is also!! located/as being ONE of this said S.C. Appeals and Supreme Courts' BOARD MEMBERS, who is allegedly involved with this Appellant/Whaley's STATE!! COURT! filed LAWS, which governs Appellant/Whaley's Complaint/Cashiers CHECKS, STATE!!! Court appointed RECEIVER- (appointed BY STATE!!! Court LAW!! to Represent ONLY! the alleged VICTIMS' same! MONEY and/or PROPERTY INTEREST, in which the said RESPONDENT/BOA - ADMITS!! it indeed has within its POSSESSION...), which included this Appellant/Whaley's said MONEY/or Personal PROPERTY) which provided DOCUMENTED RECORDS/and Court filed LOWER TRIAL COURT'S TRANSCRIPT[s] supports/and or shows, the SAME said LAW FIRM, NELSON, MULLINS are (illegally/and UNETHICALLY) also! REPRESENTING the RESPONDENT/BOA's said Interest, although! the said LAW FIRM, NELSON, MULLINS...was STATE!! APPOINTED!! to Represent! this said Appellant/Whaley's said STOLEN!! MONEY and PROPERTY Interest.

Which this said Appeals Court's ORDER dated 2/27/2014 OVERLOOKED that Appellant/Whaley's filed DESIGNATION and/or Initial Brief - timely, correctly, filed those said claims along with UNDISPUTED DOCUMENTED EVIDENCE...in which this said Appeals court - IN ERRED RETURNED - *(See Exh. AA) from this said Appeals Court letter dated "September 25, 2014".

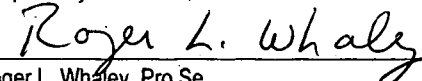
3b): This said Appeals Court OVERLOOKED and or due to Bias known said Interest, did not Consider/or must Grant this Appellant/Whaley's said Motion for Rehearing – when this said Appeals Court's in error/or otherwise Overlooked its own!!, ORDER/or LETTER dated "OCTOBER 10, 2013" which admits!! that Appellant/Whaley filed ALSO its MOTION FOR JUDGMENTS, and also! later! filed Appellant/Whaley's filed MOTION TO DISMISS, (which showed and AGAIN!! PROVIDED Appellant/Whaley's Lower Trial Court's filed documented pleadings/and already filed EXHIBITS) which always!! involved Respondent/BOA & SCFCU's UNTIMELY filed alleged MOTION(s) TO DISMISS, when, both! said RESPONDENTS filed MOTIONS to DISMISS were filed AFTER! the dates "OCTOBER 22, 2013", and "NOVEMBER 4, 2013" – which was AFTER!! the DATES! in which this said Appeals Court ORDERED!! the said Respondents to have filed EACH of their file INITIAL BRIEF/and Designation – by each of their given DEADLINE DATE, which was NEVER!! COMPLIED by Neither! named RESPONDENTS, although! this said Appeals Court DUE TO – BIAS known INTEREST – Overlooked those said above UNDISPUTED FACTS, and Granted the said RESPONDENTS Untimely filed MOTION TO DISMISS, and in ERROR/or said OTHERWISE DENIED Appellant/Whaley's MOTION T DISMISS - which INDEED PROVIDED the Documented EVIDENCE attached with said EXHIBITS – which showed Appellant/Whaley's INITIAL BRIEF and DESIGNATION of MATTERS indeed "...CONTAIN...MATTER(s)...PRESENTED TO! THE TRIAL!! COURT." - Which this said Appeals Court indeed! FIRST! ACCEPTED, than!! later!! (admitted! to have) RETURNED Appellant/Whaley's DOCUMENTED EVIEDENCE/and/or EXHIBITS/and Lower Trial Court's TRANSCRIPT(s) – which supported that ALL Appellant/Whaley's CLAIMS in his Initial Brief and DESIGNATION indeed were first "...PRESENTED TO THE TRIAL COURT..." Pursuant with Rule 209, 210, 207(b)(4).

4. Therefore this said Appeals Court 2/27/2014 FINAL ORDER in Error Overlooked/and due to said Bias known personal Interest, did not Consider, and or must Grant Appellanti/Whaley's MOTION for REHEARING, when!! this Appeals Court's OWN! written signed!! LETTER dated "SEPTEMBER 25, 2013" – admits!!! that indeed Appellant/Whaley's TIMELY and PROPERLY filed INITIAL BRIEF and DESIGNATION of MATTER's attached EXHIBITS and filed Documented Pleadings/which INCLUDED Appellant/Whaley's PAID LOWER TRIAL COURT'S TRANSCRIPT, showed and supported ALL Appellant/Whaley's claims were Claims ALWAYS Discussed also within the said LOWER TRIAL COURT, whereas is in compliance with this said Appeals Court's ONLY provided Case Law "Henning v. Kaye, 307 S.C. 436,437,415 S.E.2d 794(1992)" – which RULED/and ORDERED and/or shows that/or this said APPEALS FINAL ORDER, dated 2/27/2014 – MUST!!! BE DENIED.

WHEREFORE, attached is Appellant/Whaley's (6) copies, and known payment, so to file this timely and proper request to Granted this said Motion for Rehearing/and/or Reconsideration, pursuant with the above said S.C. Appellate Court Rules and Procedures. *(If the said amount of payment is not correct, please contact, and any other immediate payment will be made)

Dated: MARCH 11, 2014

Respectfully Submitted,


Roger L. Whaley, Pro Se
8673 Laurel Grove Lane
North Charleston, South Carolina 29420

CERTIFICATE OF SERVICE

I, declare that all the proper parties has been timely and properly served by CERTIFIED/or OVERNIGHT MAIL, and/or FAXED. As Appellant's declare that ALL that is stated is true and believable and is attached with the documented evidence/and/or EXHIBITS which supports ANY and ALL his Claims, as he has always provided to this said Appeals Court and to the said Lower Trial Court.

cc: Jody A. Bedenbaugh, Esquire; Erik Tison Norton, Esquire,
1320 Main Street, 17th Floor – Columbia, SC 29201

Drew Hamilton Butler, Esquire, Shelia M. Bias,
1900 Bamwell St. – Columbia, S.C. 29202

ATTACHED EXHIBITS – 18

Mr. Roger Whaley v. BOA and SCFCU
MOTION for REHEARING/or/Consideration

RECEIVED

MAR 13 2014

SC Court of Appeals

* Appeals Court's own! Below
CASE - Henning v. Kaye
Kaye - support
Appellant
Whaley's Appeal
Must Not Be
Dismissed - alleged
in error were indeed v.
Deficiencies were indeed v.
which were indeed v.
Appellant - Whaley
see Attachments
A - Three - Sub 2
see Attach
EXH. AA

* Neither Respondent's Compliance with Appeals Court Orders for letters see EXH. AA + SA

The South Carolina Court of Appeals

Roger L. Whaley, Appellant,

South Carolina Federal Credit Union and Bank of America, Respondents.

Appellate Case No. 2012-213208

ORDER

Respondents South Carolina Federal Credit Union and Bank of America have each filed motions to dismiss this appeal. After careful consideration, this appeal is dismissed because Appellant has failed to comply with the South Carolina Appellate Court Rules. See *Henning v. Kaye*, 307 S.C. 436, 437, 415 S.E.2d 794, 794 (1992) (noting an appellate court is justified in dismissing an appeal based on an appellant's failure to comply with the South Carolina Appellate Court Rules).

Joseph W. Curator AS
FOR THE COURT

Columbia, South Carolina

- cc:
Roger L. Whaley
Drew Hamilton Butler
Erik Tison Norton
Jody Alan Bedenbaugh
Sheila Marlouvon Bias

Research Shows...
* See Attached Exhibit AA shows the Appeals Court in error for otherwise due to bias and interest intentionally returned Appellant Whaley's Attached Documents Evidence - that was Attached with the Requirements of Rule 210(c) SCACR - Attached with Appellant's

Designation and/or his Initial Brief

↓
A long with his mt +

Dismissed pursuant to Rule 210(b)(2) + (c) which shows Appellant's error. Answer to Appellate Court order Requesting to correct or change Appellant's Designation of Matter Claims

Exh. A
RECEIVED

MAR 13 2014

SC Court of Appeals
where AS Appellant Whaley WAS MIA upon compliance with SC Appellate Court rules...



The South Carolina Court of Appeals

JENNY ABBOTT KITCHINGS
CLERK

V. CLAIRE ALLEN
DEPUTY CLERK

POST OFFICE BOX 14625
COLUMBIA, SOUTH CAROLINA 29211
1014 SUMNER STREET
COLUMBIA, SOUTH CAROLINA 29201
TELEPHONE: (803) 734-1630
FAX: (803) 734-1639
WWW.SCCOURTS.ORG

September 25, 2013

↑ ↑ ↑

Roger L. Whaley
8673 Laurel Grove Lane
North Charleston SC 29420

Re: Roger Whaley v. SC Federal Credit Union
Appellate Case No. 2012-213208

Dear Mr. Whaley:

We received your designation of matter on September 9, 2013. We are returning the documents you included as this is not the appropriate time to file these documents with the Court. Please see Rule 210 of the South Carolina Appellate Court Rules for further guidance.

Our records reflect the respondents' initial brief and designation of matter are due on October 4, 2013.

Very truly yours,

Jenny A. Kitching
CLERK

cc: Drew Hamilton Butler
Erik Tison Norton
Jody Alan Bedenbaugh
Sheila Marlouvon Bias

Exh. AA

* Appeals Court
in Error. Returned
Appellant Whaley's
Evidence Documented.
of Proof - of Complete
Transcript - and other
Filed Pleadings filed
in Lower State Court -
which confirmed Appellant's that
were discussed in his Initial
Brief and Designation
were the same issues
discussed in the said
Lower Court.
In compliance with rule
210(c)
↓
Otherwise!
Appeals Court shows
Appellant Whaley's
Initial Brief and
Designation of matter
were. Indeed, in the
compliance with the
S.C. Appellate Court Rules,
therefore defects per se
Error. App 2-27-14

Exh. AAA

Respondent SCFCU

*Research shows
Respondent SCFCU - Admits!
It only filed for Extension for SCFCU*

*October 22, 2013
7 9 7*

*and Not! Respondent
BOA - who does!
Complied with his*

Columbia
Direct Dial: (803) 576-3718
sbias@RichardsonPlowden.com

*Appeals
Court
Order(s)
Letters
Dated
9-25-2013
Exh. AA
8-23-2013
Exh. 5-C
Nov
9-27-2013
Exh. 5
aaa*

The Honorable Jenny A. Kitchings
Clerk, South Carolina Court of Appeals
1015 Sumter Street
Columbia, South Carolina 29201

Re: **Roger L. Whaley v. South Carolina Federal Credit Union**
C/A No.: 2012-CP-1800539
Appellate Case # 2012-213208
Our File No. 7130-36

Dear Ms. Kitchings:

Respondent South Carolina Federal Credit Union is in receipt of Mr. Whaley's "Letter to Clerk a/k/a Motion for Judgment against Respondent Bank of America or Request to Remain [sic] That said Respondent Matter Back to Lower Trial Court with Instruction, to Enter Direct Judgment in Favor of Plaintiff/Appellant Roger Whaley Pursuant with SCRAP [sic] 208(a)(2), (4) & (7), (hereinafter "Motion"). It appears this Motion is directed at another party. However, to the extent Mr. Whaley intended the Motion be directed towards Respondent South Carolina Federal Credit Union, please accept this letter as our brief Return to the Motion. This Motion is not proper as against Respondent South Carolina Federal Credit Union. Respondent South Carolina Federal Credit Union moved this honorable court for an extension of time in which to file our initial brief. (This Court granted the Motion by Order filed September 27, 2013) Accordingly Respondent South Carolina Federal Credit Union's Initial Brief is not due until November 4, 2013 - 13 days from today. Consequently, to the extent Appellant's motion is directed toward Respondent South Carolina Federal Credit Union the motion is premature, without merit, and should be denied as against us.

*as Appellant
Whaley
Complied
with Appeals
Court request
depositions*

*which
shows
Also
Compliance
with
Appellate
Order*

By copy of this letter we are serving pro se Appellant with this response.

Thank you for taking the time to review this letter and with kind regards, I am

Sincerely,

Sheila M. Bias

Sheila M. Bias
SC Bar # 100005

2-27-2014

*Therefore
Shows*

*Appeals
Order*

*2-27-2014
is Meet-*

*or/ Bias
written
when it
own prior
response.*

SMB/dfb

** Shows Appellants Error possible Bias
* Respondent BOA - Did not
file its untimely filed
Motion to Dismiss until 1/10/14
The Date 10-22-2013 - when Appellate
ordered its initial brief & designation
to be filed by 10-4-13*

*and interest
of Appeals
circuit's Board
member Mr.
BB Ashmore*

*Appellant's compliance
with S.C. Appellate Rules.*

IN THE SUPREME COURT OF SOUTH CAROLINA
SUPREME COURT's NEW CASE No: Unknown
APPEALS NO: 2012-213208

County of Dorchester Court of Common Pleas
Lower Case No: 2012-CP-18-539 and Lower Judge – Maite D. Murphy

Roger L. Whaley, Pro Se
Plaintiff/Appellant.

Pages 1
Attachments - 3

vs.

Clerk's requested CORRECTED "Deficiency"
AMENDMENT TO
NOTICE OF APPEALS

South Carolina Federal Credit Union
and
BANK OF AMERICA

Respondent.

ATTENTION CLERK:

Please see the above requested Corrections involving the prior attached amendments of the complete copy of the original order and the order on motion for reconsideration. And also providing all parties of the RETURN Lower Court's Reporter's Transcript info.

DATE: NOVEMBER 19, 2012

Respectfully submitted,

Roger L. Whaley
Roger L. Whaley
8673 Laurel Grove Lane
North Charleston, SC 29420

CERTIFICATE OF SERVICE

I declare that all the below proper parties have been served with this said Amended requested Clerk Correction to AMENDMENT TO NOTICE of APPEALS; filed within this said State Supreme Court, pursuant with SCACR Rule 267(a) and SCACR 202; as well as See attached Transcript Letter from "The Circuit Court of the Eleventh Judicial Circuit's Court Reporter dated November 10, 2012.

South Carolina's Dorchester's State Court
5200 East Jim Bilton Blvd.
5t. George, SC
(843) 553-0160

**S.C. Supreme Court of Appeals
P.O. Box 11330
29477 Columbia, S.C. 29211
(803) 734-1080

Mr. Jody A. Bedenbaugh, Attorney
1320 Main Street, 17 Floor
Columbia, S.C. 29201
(803) 799-2000

Drew Hamilton Butler, Esquire
Post Office Drawer 7788
Columbia, South Carolina 292A2
(803) 771-4400

Exh. 1

RECEIVED

MAR 13 2014

SC Court of Appeals

* See Appellant Whaley's Compliance with Appeals Order Confirmed in attached Exh. 5-b-1 and Exh. 5; as well as see Exh. A-A Confirmed by S.C. Appeals Court - Letter 9-25-2013 - that Appellant Whaley's proper designation of matter - WAS RECEIVED:

The South Carolina Court of Appeals

November 13, 2014

By: Roger Whaley, St. Louis, Civil Division
 Appellate Case No. 2014-01320

I, the undersigned, certify as true and correct that the following deficiency or deficiencies in this designation of the South Carolina Appellate Court Rules (SCACR) are any deficiencies in the format shall be 10 days of the date of this letter.

- The accompanying petition for review does not comply with Rule 267(a) SCACR. The petition of review should be substantially in the format set forth by Form 100-1, Appendix C of the SCACR.
- The petition does not comply with Rule 267(a) SCACR. Specifically, it does not appear substantially in the format shown by Form 100-1, Appendix C of the SCACR.
- Please include the names of all attorneys of record and the names of the party or parties represented by each, in compliance with Rule 262 of the SCACR.

RECEIVED:
 by the Appeals Court's S.C. Appellate Court Rules After! Deficiencies were properly corrected. Error Time Appeals Court found any said deficiencies... Therefore Defects or Shows Errors of Appeals Order 2-27-2014

Exh. 2

Whereas Appellant Whaley Always Complied with S.C. Appellate Rules - when he corrected All outstanding deficiencies which is pursuant with Appeals Order - 2-27-14

Very truly yours,

W. H. H. H. H. H.

W. H. H. H. H.

Very truly yours,
W. H. H. H. H.

Exh. 3



State of South Carolina
The Circuit Court of the Eleventh Judicial Circuit

State House, Columbia, South Carolina
P.O. Box 17, Columbia, South Carolina 29201

Christopher Lee Bell

Roger Whitey
9615 Laurel Grove Lane
North Charleston, SC 29405

Re: [unclear]

Dear Mr. Whitey:

It is to acknowledge that on November 12, 2011, we issued a subpoena and a summons to the Transcriber as Recrod
in the above matter.

If the transcript is less than the amount previously stated to you, I will refund the difference as per your deliver
of the number. If the transcript is more than the amount previously stated to you, the balance will be due from
you. Delivery of the transcript will be made in accordance with your order.

It is our intention to have your copy of the transcript printed within the next few days. In addition,
you will be notified from our Automation department if any more information is needed to complete the transcript.
You will be notified if extensions are granted.

If you desire to cancel the request for the transcript, it is our intention to have you notify us in writing. You will be
responsible for payment of any portion of the transcript that has been completed as of the date of receipt of your
cancellation.

Should you have any questions regarding the above information, please contact me at the above address. Thank
you for your request in this matter.

Sincerely,

Gregory H. H. H.
[unclear]

Exh. 4

ATTACHED EXHIBITS – 18

Part 2 –

8 attachments

Mr. Roger Whaley v. BOA and SCFCU
MOTION for REHEARING/or/Consideration

* *5 ET - even Respondent's Admittance!!*
of Appellant's Compliance to this Appellate Court Letter Order
see Attach Exh. 5



The South Carolina Court of Appeals

JENNY ABBOTT KITCHINGS
CLERK
V. CLAIRE ALLEN
DEPUTY CLERK

POST OFFICE BOX 11529
COLUMBIA, SOUTH CAROLINA 29211
1016 SUMNER STREET
COLUMBIA, SOUTH CAROLINA 29207
TELEPHONE (803) 734-1551
FAX (803) 734-1539
WWW.SCSCOURT.CORP

August 28, 2015

Roger L. Whaley
8673 Laurel Grove Lane
North Charleston SC 29420

Re: Roger Whaley v. SC Federal Credit Union
Appellate Case No. 2012-213208

Dear Mr. Whaley:

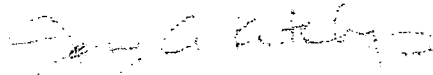
Upon reviewing your appellant's initial brief, the following deficiency or deficiencies have been noted under the South Carolina Appellate Court Rules (SCACR), and any deficiency must be corrected within ten (10) days of the date of this letter:

The initial brief is not accompanied by a designation of matter to be included in the record on appeal. We are returning the attachments and exhibits to you.

You will need to submit a designation of matter to the Court pursuant to Rule 209, SCACR, and Form 14. The designation must be filed within ten days of the date of this letter or your case may be dismissed. The respondents' briefs will be due within thirty (30) days from the filing of the appellant's designation of matter.

Exh. 5-a

Very truly yours,


CLERK

cc: Drew Hamilton Butler
Erik Tison Norton
Jody Alan Bedenbaugh
Sheila Marlouvon Bias

Exh. 5-aa

The South Carolina Court of Appeals

Roger L. Whaley, Appellant.

v.

South Carolina Federal Credit Union and Bank of America, Respondents.

Appellate Case No. 2012-213208

The Honorable Maite D. Murphy
Dorchester County
Trial Court Case No. 2012CP1800539

ORDER

The time for serving and filing the respondent's initial brief and designation of matter is hereby extended until November 4, 2013.

~~AS~~ ~~AS~~ ~~AS~~ ~~AS~~

FOR THE COURT

BY Jaya K. Krip
CLERK

Columbia, South Carolina

cc:
Roger L. Whaley
Drew Hamilton Butler
Erik Tison Norton
Jody Alan Bedenbaugh
Sheila Mariouvon Bias

FILED
9-27-13 AS

Exh. 5.aaa

*shows
Appellate Court
Only Granted!
Extension to
Nov. 4, 2013 to
Only ONE
Respondent -
Not! to
Both!!
Respondents! -
Therefore
Appellate Court's
Order CASE LAW
Hennings v. Kraye -
Approved/Not Granted
Relief to the one!
Respondent who
Requested...*

*AS
Respondent
Both!
Never!
Requested!
Extension!
from
Date
10-4-2013
to
file its
initial
brief
with his
designation
matter
when
Respondent
BOA
filed
its
mt to
Dismiss
on
10-22-13
After!
BOA's
interim
had compliance
with Appellate
order for letter Exh.
dated 9-25-13*



The South Carolina Court of Appeals

JENNY ABBOTT KITCHINGS
CLERK

V. CLAIRE ALLEN
DEPUTY CLERK

POST OFFICE BOX 11539
COLUMBIA, SOUTH CAROLINA 29211
1618 SUMNER STREET
COLUMBIA, SOUTH CAROLINA 29204
TELEPHONE (803) 734-1890
FAX (803) 734-1839
www.sccourts.org

October 10, 2013
↑ ↑

Roger L. Whaley
8673 Laurel Grove Lane
North Charleston SC 29420

* SEE-Exh. 5-b-1.
Shows for compliance
Appellant Whaley
Corrected for compliance with
Appellate Court letter/
order of deficiencies

Re: Roger Whaley v. SC Federal Credit Union
Appellate Case No. 2012-213208

Dear Counsel:

Upon reviewing your "Letter to clerk/a/k/a motion for judgment against respondent Bank of America/or/request to remain that said respondent matter back to lower trial court with instruction, to enter direct judgment in favor of plaintiff/appellant Roger Whaley." the following deficiency or deficiencies have been noted under the South Carolina Appellate Court Rules (SCACR), and any deficiency must be corrected within ten (10) days of the date of this letter:

- The accompanying proof of service is not in compliance with the SCACR. Your proof of service should be substantially in the format shown by Form 7 in Appendix C to part II of the SCACR.

Very truly yours,

Jenny A. Kitchings
CLERK

Exh. 5-b

FORM 7
PROOF OF SERVICE OF A NOTICE OF APPEAL

Attachment - 1

THE STATE OF SOUTH CAROLINA
In The Court of Appeals
2012-213208

APPEAL FROM DORCHESTER COUNTY
Court of Common Pleas

MAITE MURPHY, Master of Equity/Special Serving as Circuit Court Judge

Case No. 2012-CP-18-0539

South Carolina Federal
Credit Union and
BANK of AMERICA

Respondents,

v.

Roger L. Whaley,

Appellant.

PROOF OF SERVICE

I certify that I have served again/or second time to the Respondent(s) Bank of America and South Carolina Federal Credit Union, and this said Appeals Court's Clerk, by Faxing a copy to the Respondent(s) Bank of America and South Carolina Federal Credit Union, or by Hand-delivered and or deposed in the United States Mail, postage prepaid, first mailed on "September 30, 2013" and, now being resent, due to the attached written Request from this Appeals Court's Clerk dated "October 10, 2013" involving Pro Se Whaley's "...Deficiencies" within (10) days to be "...in COMPLIANCE with the SCACR...Form 7 in Appendix C to part II of the SCACR" regarding pro se Appellant Whaley's "Letter to Clerk/a/k/a MOTION FOR JUDGMENT against RESPONDENT BANK of AMERICA/or REQUEST to REMAIN said RESPONDENT MATTER BACK to LOWER TRIAL COURT with INSTRUCTION, to ENTER DIRECT JUDGMENT in FAVOR of PLAINTIFF/APPELLANT Roger WHALEY" which has been, and now again being recent to ALL Proper Parties in this said case matter, delivered to the below named parties.

Attorney Jody Alan Bedenbauth - c/o Attorney Eric Norton, Esq.
Attorney NELSON & MULLINS - Respondent/Defendant/BOA
1320 Main Street, 17th Floor
Columbia, SC 29201
803-799-2000 Fax no. 803-256-7500

Attorney E. Caleb Riser, Esquire - c/o Attorney Drew Butler, Esq.
with LAW FIRM Richardson & Plowden
Attorney for South Carolina Federal Credit Union/Respondent/Defendant
1900 Bamwell St./ P.O. Drawer 7788
Columbia, South Carolina 29202
803-771-4400 - Fax no. 803-779-0016

October 14, 2013

Roger L. Whaley
Mr. Roger Whaley, Pro Se
8673 Laurel Grove Lane
North Charleston, SC 29420
la99mont@yahoo.com

Exh. 5-b-1

The Honorable Jenny A. Kitchings
Clerk, South Carolina Court of Appeals
1015 Sumter Street
Columbia, South Carolina 29201

November 1, 2013
Attachment - 1

Re: Respondent South Carolina Federal Credit Union/SCFCU's 10/31/2013 LETTER, SHOWS the Appearance of EXPARTE Communication, or Private Communication, involving allegedly! this said Appeals Court Clerk's "CONVERSATION on October 29, 2013...", which SCFCU Appears to suggest for this Appeals Court Clerk, to Improperly/or UNETHICALLY ALLOW SCFCU to DELAY! or Extend!! for a THIRD!! TIME! SCFCU's required!! RESPONSE to Appellant-Whaley's filed Initial BRIEF! DUE by Nov. 4, 2013 - filed since about September 2013; Now!! SCFCU is REPRESENTING/or/Requesting Special FAVORS from this APPEALS COURT - for the Respondent Bank of America - although! both said Respondents' DEFENSES are Not!! legally JOINT!! /nor Consolidated by/nor within the said LOWER TRIAL COURT - and CAN BE JUDGED Separately.

Dear Ms. Kitchings:

With no disrespect intended to this said Appeals Court's Clerk, who is indeed being misled/and or it is Obvious, that South Carolina Federal Credit Union/ SCFCU now! again! continued!! requests for SPECIAL FAVORS from this said Appeals Court Clerk, to yet! now! again to grant a THIRD!! EXTENSION!! so to file its REQUIRED!! Responsive, Initial Brief that was extended a Second time from being filed in the month of OCTOBER, 2013, to be filed on NOVEMBER 4, 2013, and now again! frivolously!! request/or Suggestion that SCFCU will not file its REQUIRED Responsive Initial Brief on NOVEMBER 4, 2013, Unless! this said Appeals Court Clerk ORDERS, or write again! such a request that's ALREADY!! been DEMANDED by this said Appeals Court, which must! be upheld by the said Respondent SCFCU, otherwise SCFCU is making the appearance of this said Appeals Court is providing Special Favors for a party of interest.

Therefore, the said already provided law(s)! and rule(s)! requires!! for the said Respondent SCFCU must! file its required Responsive Brief on the Ordered!! date NOVEMBER 4, 2013, as indeed the Respondent Bank of America's recent OWN filed UNTIMELY! pleadings within this said Appeals court, ADMITS! (although! Appellant do not necessarily agree) that it is WITHOUT ANY DOUBT!!/and or is UNDISPUTED!! that ONLY!! Respondent SCFCU was indeed! Appellant Whaley's signed CONTRACTED!! BANK that took Appellant Whaley's MONEY and in return provided Appellant Whaley with the said CASHIER CHECKS, that are in question in this said Appeals Case matter. Whereas, ONLY shows Respondent SCFCU can not be JUDGED on the Exact SAME terms as the Respondent Bank of America/BOA, whose filed UNTIMELY Motion to Dismiss - is Obviously just! another! CONSPIRED TRICKERY of DELAY!!/and DECEPTION involving the Respondent SCFCU, when indeed, the Respondent BOA NEVER! DENIED!, and can not deny that Respondent BOA's LAW FIRM - NELSON, MULLINS... can!! not!! Legally!! Represent!! their Client - BOA's involvements with the Appellant Whaley's said CASHIERS CHECKS named PAYEE/CCG! when!! Respondent BOA's said PAID!! LAW FIRM NELSON, MULLINS ...is ALSO the SAME!! Law Firm who was APPOINTED/or PAID! to Represent Appellant Whaley interest so to get his RETURN of the same said Cashiers Checks.

WHEREFORE, in order for this said Appeals Court Clerk not to have the appearance of Bias/or Personal Interest in this said case matter, as it appears to be suggested by the Respondent SCFCU's letter dated "October 31, 2013". This said Appeals Court Clerk/or Judge(s) has ALREADY WRITTEN its said ORDER of EXTENSION Twice!! in favor of the said Respondent SCFCU, so to filed its required Responsive Initial Brief. Therefore if SCFCU does not file its required Responsive Initial Brief on the said Ordered date "November 4, 2013", which this said Appeals Court's ORDERED!, then this said Appeals Court must! consider Appellant Whaley's said filed Appeals Requests must be granted in full, against the Respondent SCFCU who also! can not!!/and has not Denied! any! of Appellant Whaley's filed claims for Appeals, pursuant with SCRAP 208(a)(2)(4).

Sincerely,

Roger L. Whaley
Roger L. Whaley, Pro Se
8673 Laurel Grove Lane
North Charleston, South Carolina 29420

cc: Jody Alan Bedenbaugh, Esquire, Erik Tison Norton, Esquire, Drew Hamilton Butler, Esquire,

EXH. 5-A-2



The South Carolina Court of Appeals

JENNY ABBOTT KITCHINGS
CLERK
V. CLAIRE ALLEN
DEPUTY CLERK

POST OFFICE BOX 11626
COLUMBIA, SOUTH CAROLINA 29211
1015 SUMNER STREET
COLUMBIA, SOUTH CAROLINA 29201
TELEPHONE: (803) 734-1800
FAX: (803) 734-1639
www.sccourts.org

May 21, 2013
↑ ↑

Roger L. Whaley
8673 Laurel Grove Lane
North Charleston SC 29420

Re: Roger Whaley v. SC Federal Credit Union
Appellate Case No. 2012-213208

Dear Mr. Whaley:

The Clerk of the South Carolina Supreme Court transferred your notice of appeal to the Court of Appeals after it was filed at the Supreme Court. Your case will remain in the South Carolina Court of Appeals.

Please advise as to the status of the transcript request. Pursuant to Rule 207(a) of the South Carolina Appellate Court Rules, the transcript must be ordered within ten days after the date of service of the notice of appeal. Failure to timely request the transcript may result in dismissal of your appeal.

Very truly yours,
V. Claire Allen, Deputy

CLERK

cc: Drew Hamilton Butler
Erik Tison Norton
Jody Alan Bedenbaugh

Documents found Whaley properly contacted the Lower Trial Court Reports will reject the said items. Glad to work 2012 - could one Reporter write and knowledge! Whaley's Request and Payment in year 2012... Dept's or show continued to this or this Appellate Court. This is

Exh. 4-a

Reply to: Columbia
Direct Dial: (803) 576-3718
sbias@RichardsonPlowden.com

September 10, 2013
↑ ↑

Via Hand Delivery

The Honorable Jenny A. Kitchings
Clerk, South Carolina Court of Appeals
1015 Sumter Street
Columbia, South Carolina 29201

Re: Roger Whaley v. SC Federal Credit Union
Appellate Case No.: 2012-213208

Dear Ms. Kitchings:

As counsel for Respondent SC Federal Credit Union, in the above-referenced case, we respectfully request a 30-day extension of time in which to serve and file our Initial Respondent's Brief and Designation of Matter to be included in the Record on Appeal.

Respondent Admits
But Never Complied
by Respondent's
SCFCU
10-4-2013
11-4-2013

Mr. Whaley, *pro se* Appellant, filed and served his Designation of Matter on what appears to be September 4, 2013; therefore, pursuant to this court's August 23, 2013 letter, our Initial Respondent's Brief and Designation are currently due by Friday, October 4, 2013. However, with a 30-day extension of time, by my calculations, our Initial Brief and Designations would be due on or before November 4, 2013.

We find it necessary to request this extension due to our current heavy workload. This is our first request for an extension of time to serve and file the Initial Respondent's Brief and Designation of Matter.

I am enclosing the \$25.00 filing fee and thank you for your consideration of this request. By copy of this letter, I am notifying Roger Whaley, *pro se* Appellant, of record of this correspondence.

Thank you for your assistance in this matter.

Sincerely,

Sheila M. Bias

Sheila M. Bias
SC Bar# 100005

SMB/dfb
Enclosure

cc: Roger Whaley, *pro se* (w/o enclosure)

Exh. 5

ATTACHED EXHIBITS – 18

Part 3 –

3 attachments - (Appeals Ct Case Law
“Henning v. Keye”

Mr. Roger Whaley v. BOA and SCFCU
MOTION for REHEARING/or/Consideration

Exh. 6

COURT LISTENER

- [About](#)
- [Coverage](#)
- [Sign in / Register](#)

[Back to Home Page](#)

Your Notes

([edit](#))

(none)

Share this Opinion

<https://www.c>

Henning v. Kaye, 415 S.E.2d 794 (S.C. 1992)

[Sign in or register to save a favorite.](#)

(click to dismiss)

Supreme Court of South Carolina

Date Filed: March 11th, 1992

Status: Precedential

Citations: 415 S.E.2d 794, 307 S.C. 436

Judges: Chandler

Fingerprint: 58b1fd8a310638fafc3073bc7d6c634683493839

307 S.C. 436 (1992)
415 S.E.2d 794

Exh. 6a

**Edward L. HENNING and Carol Sue
Henning, Respondents**

v.

**Herbert KAYE and Max L. Hill Co., Inc.,
Defendants, of whom Max L. Hill Co., Inc. is
Respondent, and Herbert Kaye is Appellant.**

Supreme Court of South Carolina.

March 11, 1992.

***437 March 11, 1992.**

ORDER

Respondents move the Court to dismiss this appeal. By return, appellant opposes the motion as to respondents Edward Henning and Carol Henning (the Hennings). Appellant does not oppose the motion as to respondent Max L. Hill Co., Inc. (Hill). The motion to dismiss as to Hill is granted.

The Hennings move to dismiss pursuant to Rule 231, SCACR. The Hennings claim that appellant's initial brief fails to comply with Rule 207, SCACR, and that his Designation of Matter to be Included in the Record on Appeal (Designation) is insufficient under Rule 208, SCACR.

By return, appellant's counsel asserts that he has substantially complied with the Rules and that instances of noncompliance were inadvertent technical errors and minor discrepancies. Counsel moves to amend his brief. Counsel further contends that his Designation is clear and specific.

Appellant's brief fails to comply with the Rule 207 in the following particulars: the components of the brief are incorrectly organized and labeled, the issues are not distinctively headed, the table of authorities is not alphabetized or referenced to the body of the brief, the statement of the case contains contested matter and omits required information, and the arguments contain no citations to the record or to the cases listed in the table of authorities.

Counsel is advised that the South Carolina Appellate Court Rules are not mere technicalities but provide the parties and this Court with an orderly mechanism through which to guide appeals in this State. It is incumbent upon counsel to provide material that complies with the Rules and facilitates appellate review.

Exh. 6-b

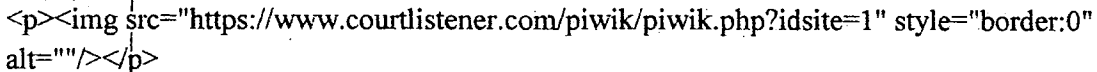
Although this Court would be completely justified in dismissing this appeal based on appellant's numerous violations of the Rules, we decline to do so and deny the motion to dismiss *438 as to the Hennings. Instead, appellant shall, within fifteen (15) days of this order, serve and file an initial brief that does fully comply with Rule 207, SCACR. No changes shall be made to appellant's arguments except that appellant may add citations to the cases listed in the current table of authorities and references to the record as provided by Rule 207(b)(4).

With his brief appellant shall serve and file an amended Designation that sets forth with specificity the exhibits and other matter he wishes to include in the Record on Appeal. Appellant is reminded that the Record on Appeal shall not contain any matter not presented to the trial court. Rule 209(c), SCACR.

It is so ordered.

CHANDLER, J., not participating.

[About](#)[Donate](#)[APIs and Bulk Data](#)[Tools](#)[Contribute](#)[Coverage](#)[Terms & Privacy](#)[Sitemap](#)[Contact / Engage](#)

A Piwik tracking code is embedded in the document. The code is: `<p></p>`