

# The South Carolina Court of Appeals

Alexander Pastene, Appellant,

v.

Thomas Trobough, Mr. & Mrs. Norman Ginsburg, W.  
Richard Beetle, Country Club of Hilton Head, Club Corp  
of Dallas, TX, CCHH Tennis Committee Members,  
Respondents.

Appellate Case No. 2014-000148

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## ORDER

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Respondents Trobough and the Ginsburgs moved to dismiss this appeal on April 18, 2014, arguing Appellant's initial brief is untimely and does not comply with Rule 208, SCACR. In addition, these respondents argue Appellant failed to serve and file a designation of matter as required by Rule 209, SCACR. This motion is denied.

The remaining respondents filed a nearly identical motion to dismiss on April 24, 2014, omitting only the allegation that Appellant failed to file a designation of matter.<sup>1</sup> This motion is also denied.

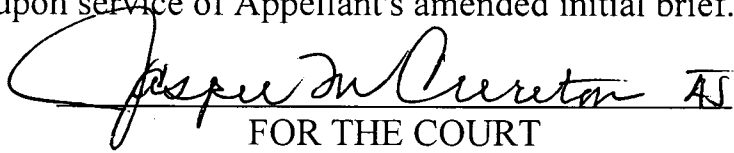
Appellant has also submitted motions to file his initial brief out of time and for an extension of time to file the brief. This motion is granted. We have since received Appellant's initial brief, which is accepted as filed. However, we note Appellant's brief does not contain any references as required by Rule 208(b)(4), SCACR.<sup>2</sup>

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<sup>1</sup> Appellant filed a designation of matter on April 18, 2014.

<sup>2</sup> "The brief shall contain references to the transcript, pleadings, orders, exhibits, or other materials which may be properly included in the Record on Appeal . . . to support the salient facts alleged. . . . In the initial briefs, these references should be to the page and line number of the transcript prepared by the court reporter or by the page of the material to be referenced . . . ." Rule 208(b)(4), SCACR.

Appellant is therefore ordered to serve and file an amended initial brief that includes such references within twenty days. The time for Respondents to serve their initial briefs shall begin upon service of Appellant's amended initial brief.

 AS  
FOR THE COURT

Columbia, South Carolina

cc: Alexander Pastene  
Mary Bass Lohr, Esquire  
Terry A. Finger, Esquire

**FILED**  
6/10/14 