

THE STATE OF SOUTH CAROLINA
In The South Carolina Court of Appeals

APPEAL FROM BEAUFORT COUNTY
Court of Common Pleas

Carmen T. Mullen, Circuit Court Judge

M2836

Appellate Case No. 2014-000148

Alexander Pastene.....Appellant,

v.

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

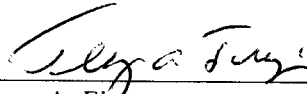
MOTION TO DISMISS AMENDED
INITIAL BRIEF OF APPELLANT

The Respondents, Thomas Trobough and Norman Ginsburg, pursuant to Rule 240 of the South Carolina Appellate Court Rules, hereby move for the Appeal to be dismissed on the following grounds:

1. The Amended Initial Brief of the Appellant was not timely served. There is no Certificate of Mailing. This Court's Order filed on June 10, 2014 gave the Appellant 20 days to file and serve an Amended Initial Brief. The mailer from the United States Postal Service indicates that the Amended Initial Brief was in fact mailed on July 2, 2014. A copy of the United States Postal Service mailer is attached as Exhibit 1. Appellant did not comply with the Order of this Court.

July 10, 2014

FINGER & FRASER, P.A.



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Attorneys for Respondents
Thomas Trobough and Norman Ginsburg

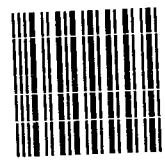
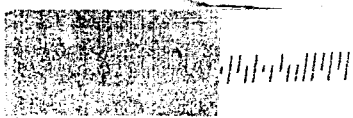
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SC Court of Appeals

EXHIBIT
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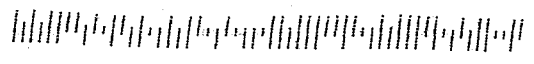
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July 10, 2014

The Honorable Jenny Abbott Kitchings
Clerk of Court
The South Carolina Court of Appeals
P. O. Box 11629
Columbia, SC 29211

**Re: Thomas Trobaugh, Norman Ginsburg, et al.
adv. Alexander Pastene
Civil Action No.: 2011-CP-07-04407
Our File No.: 3851.001**

Dear Ms. Kitchings:

Enclosed please find originals and seven (7) copies of a Motion to Dismiss Amended Initial Brief of Appellant and Certificate of Service in the above captioned. Please file the originals and return time-stamped copies to me in the envelope provided for your convenience. Also enclosed please find a \$25.00 check representing the requisite filing fee.

By copy of this letter to Mr. Pastene and Mary B. Lohr, Esquire, I am informing them of this communication.

Thank you for your assistance in this regard.

Very truly yours,

FINGER & FRASER, P.A.


Terry A. Finger

TAF/cc

Enclosures

cc: Mr. Alexander Pastene
Mary B. Lohr, Esquire
Mr. Norman Ginsburg
Mr. Thomas Trobaugh

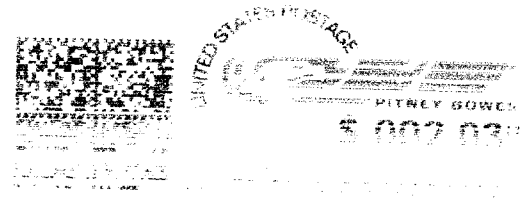
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