

The South Carolina Court of Appeals

Evalena Catoe, individually and as Personal
Representative of the Estate of Richard L. Catoe, Jr.,
deceased, Appellant,

v.

The City of Columbia and Leon Lott, in his official
capacity as Sheriff of Richland County, Defendants,

Of whom Leon Lott, in his official capacity as Sheriff of
Richland County, is the Respondent.

Appellate Case No. 2014-000194

ORDER

Respondent filed a motion to strike several items identified in Appellant's Designation of Matter and referenced in Appellant's Initial Brief because the items were not presented to the trial court. Appellant filed a return, consenting to a removal of the items identified in the motion to strike from her Designation of Matter and requesting to supplement her Designation of Matter with an affidavit of Jon Britton Blum.

After careful consideration, we grant Respondent's motion. *See* Rule 210(c), SCACR (stating the Record on Appeal shall not include any matter which was not presented to the trial court). Within thirty days, Appellant shall file an Amended Designation of Matter, which includes only those items identified in her return to the motion to strike. Further, Appellant shall amend her Initial Brief within thirty days to omit any reference to items that were not presented to the trial court.



FOR THE COURT

FILED
9/18/14

Columbia, South Carolina

cc:

Pamela R. Mullis, Esquire

Robert David Garfield, Esquire

Andrew F. Lindemann, Esquire