

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

**RECEIVED**

AUG 22 2014

**SC Court of Appeals**

APPEAL FROM RICHLAND COUNTY  
Eugene C. Griffith, Jr., Circuit Court Judge

Case No. 2013-CP-40-1047R

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 ..... Respondent.

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**REPLY TO APPELLANT'S RETURN TO  
MOTION TO STRIKE MATERIALS  
DESIGNATED BY APPELLANT FOR INCLUSION  
IN THE RECORD ON APPEAL**

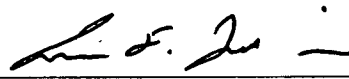
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The Respondent Leon Lott, in his official capacity as Sheriff of Richland County, moved to strike materials that the Appellant had designated for inclusion in the Record on Appeal which are not included in the lower court record and were

not otherwise submitted to the lower court judge. In her return, the Appellant has conceded that the Respondent Lott's position is a correct one. The Appellant proposes an amended or corrected designation on page two of her return, and the Respondent Lott agrees that those materials contained in that amended or corrected designation may be properly included in the Record on Appeal. That should resolve the pending motion.

The Appellant also requests leave of court to file an amended or corrected Initial Brief "to conform to the revised and corrected Designation." The Respondent Lott has no objection to that request.

DAVIDSON & LINDEMANN, P.A.

BY:   
\_\_\_\_\_  
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1611 Devonshire Drive  
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Columbia, South Carolina 29202  
(803) 806-8222

*Counsel for Respondent Leon Lott*

Columbia, South Carolina

August 18, 2014

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**CERTIFICATE OF SERVICE**

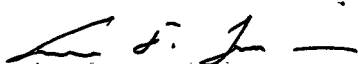
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The undersigned employee of Davidson & Lindemann, P.A., attorneys for the Respondent Leon Lott, does hereby certify that service of the **Reply to Appellant's Return to Motion to Strike Materials Designated by Appellant for Inclusion in the Record on Appeal** in the above-captioned matter was made upon all counsel of record by placing copies in the United States Mail, first class postage prepaid, at the below listed addresses clearly indicated on said envelope this the 18th day of August 2014:

Pamela R. Mullis, Esquire  
Mullis Law Firm  
Post Office Box 7757  
Columbia, South Carolina 29202-7737

Mitchell A. Norrell, Esquire  
Mandy D. Powers-Norrell, Esquire  
Norrell and Powers-Norrell, LLC  
Post Office Box 994  
Lancaster, South Carolina 29721

Danny C. Crowe, Esquire  
Crowe LaFave, LLC  
Post Office Box 1149  
Columbia, South Carolina 29202



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DAVIDSON & LINDEMANN, P.A.

ATTORNEYS AND COUNSELLORS AT LAW

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Andrew F. Lindemann\*  
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†Certified Mediator

August 18, 2014

Of Counsel  
Kenneth P. Woodington

Writer's Email: [alindemann@dml-law.com](mailto:alindemann@dml-law.com)

The Honorable Jenny Abbott Kitchings  
Clerk of Court  
South Carolina Court of Appeals  
Post Office Box 11629  
Columbia, South Carolina 29211

RE: Evalena Catoe, individually and as Personal Representative of the Estate of Richard L. Catoe, Jr., deceased v. The City of Columbia and Leon Lott, in his official capacity as Sheriff of Richland County  
Appellate Case Number: 2014-000194  
Civil Action Number: 2013-CP-40-1047R  
Our File Number: 314.8165

Dear Ms. Kitchings:

Please find enclosed for filing the original and seven copies of the **Reply to Appellant's Return to Motion to Strike Materials Designated by Appellant for Inclusion in the Record on Appeal** with regard to the above referenced matter. Please file the original and return a clocked-in copy to me in the enclosed envelope.

By copy of this letter, I am serving copies on all counsel of record.

Thank you for your assistance in this matter.

Sincerely,

DAVIDSON & LINDEMANN, P.A.



Andrew F. Lindemann

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AFL/jmb  
Enclosures

The Honorable Jenny Abbott Kitchings  
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Page Two

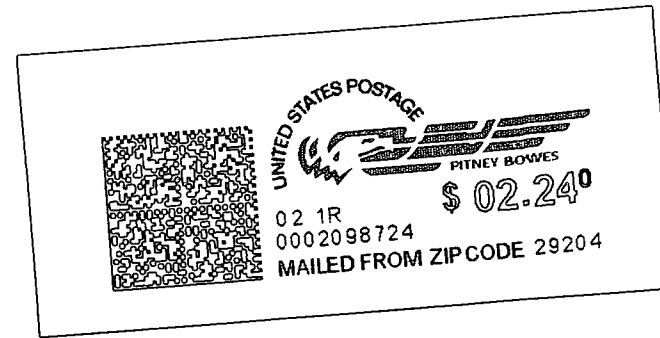
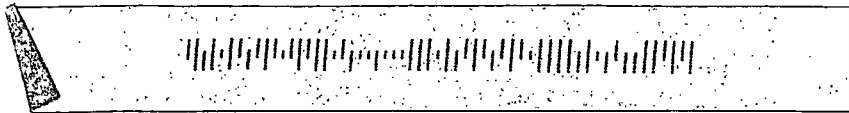
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cc: (w/ Enclosure)

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