

STATE OF SOUTH CAROLINA

In The Court of Appeals

RECEIVED

NOV 10 2014

—
Appeal from Charleston County
Court of Common Pleas

SC Court of Appeals

R. Markley Dennis, Jr., Circuit Court Judge

—
Case No. 2013-002379

Ronald Coulter, #300410,

Appellant,

v.

State of South Carolina,

Respondent.

—
RETURN TO RESPONDENT'S MOTION TO REQUIRE THE APPELLANT
AMEND THE RECORD ON APPEAL PURSUANT TO RULE 210(b)

—
The Appellant hereby makes his Return to the Respondent's Motion to Require the Appellant Amend the Record on Appeal Pursuant to Rule 210(b). The Appellant submits that the Respondent's motion be denied based on the following:

The Respondent's Designation of Matter fails to comply with Rule 209, SCACR, by containing material irrelevant to this appeal; although, the Respondent certified that its Designation contains no matter which is irrelevant to this appeal. Rule 209 states "the Designation may only propose to include portions ...

which may be properly included in the Record on Appeal. A party shall not include any matter in his Designation which is not relevant to the appeal."

The Respondent asserted, in its motion, that Rule 210(b) states "The Record on Appeal shall include all matter designated to be included by any party under Rule 209." Nevertheless, the Rule also states "The Record shall not, however, include matter which was not presented to the lower court or tribunal." The Respondent's Designation of Matter contains documents that were never presented to the lower court.

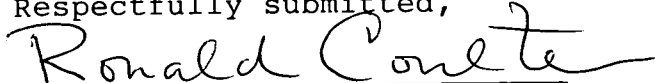
Furthermore, the Respondent's Initial Brief supports the Appellant's contention that the Respondent's Designation contains irrelevant material. Rule 208(b)(4) states "The brief shall contain references ... which may be properly included in the Record on Appeal to support the salient facts alleged." In the Initial Brief of Respondent, the Respondent only referenced two of the twenty-three documents included in its Designation.

In the alternative, the Appellant consents to supplemental material filed by the Respondent, pursuant to Rule 212, SCACR; provided, the designated materials are relevant to this appeal.

In view of the foregoing, the Appellant respectfully request this Court to deny the Respondent's motion to compel the Appellant to amend the Record on Appeal.

November 7, 2014

Respectfully submitted,


Ronald Coulter, Appellant
4460 Broad River Road
Columbia, SC 29210

STATE OF SOUTH CAROLINA

In The Court of Appeals

RECEIVED

NOV 10 2014

SC Court of Appeals

Appeal from Charleston County

Court of Common Pleas

R. Markley Dennis, Jr., Circuit Court Judge

Case No. 2013-002379

Ronald Coulter, #300410,

Appellant,

v.

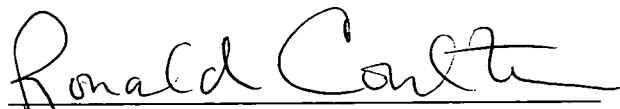
State of South Carolina,

Respondent.

PROOF OF SERVICE

I certify that I have served the Return To Respondent's Motion To Require The Appellant Amend The Record On Appeal Pursuant To Rule(b) on the State of South Carolina by depositing a copy of it in the United States Mail, postage prepaid, on November 7, 2014, addressed to its attorney of record, Ashleigh R. Wilson, Asst. Attorney General, Post Office Box 11549, Columbia, South Carolina 29211.

November 7, 2014



Ronald Coulter, #300410
BRCI Wateree 195
4460 Broad River Road
Columbia, SC 29210

Appellant, Pro Se