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THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM AIKEN COUNTY
Doyet A. Early, III, Circuit Court Judge

Case No. 2014-001702

RECEIVED

APR 10 2015

SC Court of Appeals

Carlton E. Cantrell,Appellant,

v.

Aiken County, Aiken County Animal Control Director, Shirley Hardin,
Aiken County Animal Control Officer, Bobby Arthurs, and Judge
Charles T. Carter,Respondents.

MOTION TO CORRECT RECORD ON APPEAL

The Respondents respectfully move this Court for an Order requiring the Appellant to file and serve a corrected Record on Appeal or a supplemental Record on Appeal that includes all of the documents designed for inclusion by the Respondents.

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On January 16, 2015, the Appellant mailed his Initial Brief, but failed to include a Designation of Matter at that time. On February 13, 2015, the Respondents mailed their Initial Brief, and included a Designation of Matter. In that Designation of Matter, the Respondents asserted the following should be included in the Record on Appeal:

1. Unpublished Opinion of the South Carolina Court of Appeals 2010-UP-533
2. Unpublished Opinion of the South Carolina Court of Appeals 2012-UP-662
3. Complaint from Civil Action No. 14-CP-02-879
4. Complaint from Civil Action No. 08-CP-02-887
5. Complaint from Civil Action No. 11-CP-02-1480
6. Motion to Dismiss, or in the Alternative for Summary Judgment, filed May 29, 2014, with Exhibits
7. August 28, 2014 Order of the Honorable Doyet A. Early, III

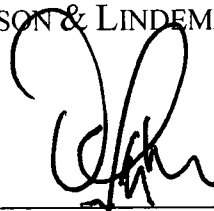
On February 23, 2015 the Appellant mailed a Reply Brief, which appears to have been only a cover sheet titled "Reply Brief of Appellant" and a Designation of Matter to be included in Record on Appeal. This attempt to designate matters after the filing of the Initial Brief of the Respondents was not in accordance with the rules.

On March 15, 2015, the Appellant mailed the Record on Appeal. However, after review, it is clear that the Record on Appeal did not include all of the items

designated by the Respondents to be included in the Record on Appeal. Specifically, the Record on Appeal received by the Respondents from the Appellant did not include a complete copy of the Respondents' Motion to Dismiss, or in the Alternative for Summary Judgment, nor did it contain a complete copy of the Exhibits that were filed by the Respondents in support of the Motion to Dismiss. Therefore, the Respondents respectfully request this Court issue an Order requiring the Appellant to prepare a corrected Record on Appeal, which includes all of the materials designated by the Respondents.

The Respondents are unable to prepare and file their Final Brief because their brief includes citations to the omitted materials. As a result, the Respondents requests that the Court hold all deadlines in abeyance until this remaining issue regarding the Record on Appeal is resolved.

DAVIDSON & LINDEMANN, P.A.

BY: 

DANIEL C. PLYLER
1611 Devonshire Drive
Post Office Box 8568
Columbia, South Carolina 29202
(803) 806-8222

Counsel for the Respondents

Columbia, South Carolina

April 10, 2015

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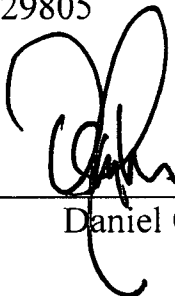
Aiken County, Aiken County Animal Control Director, Shirley Hardin,
Aiken County Animal Control Officer, Bobby Arthurs, and Judge
Charles T. Carter,Respondents.

CERTIFICATE OF SERVICE

The undersigned employee of Davidson & Lindemann, P.A., attorneys for the Respondents does hereby certify that service of the **Motion to Correct 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 envelopes this the 10th day of
April, 2015:

Mr. Carlton E. Cantrell
223 Muddy Branch Road
Aiken, South Carolina 29805

A handwritten signature in black ink, appearing to read 'D. Plyler', is positioned above a horizontal line.

Daniel C. Plyler

DAVIDSON & LINDEMANN, P.A.

ATTORNEYS AND COUNSELLORS AT LAW

William H Davidson, II
Andrew F Lindemann*
James M Davis, Jr†
Robert D Garfield
Michael B Wren

1611 Devonshire Drive, Second Floor
Post Office Box 8568
Columbia, South Carolina 29202-8568
Telephone. (803) 806-8222
Facsimile: (803) 806-8855
www dml-law.com

Daniel C Plyler
Joel S Hughes
Justin T. Bagwell
David A DeMasters
Steven R Spreeuwes
Todd R Flippin

*Also Admitted In North Carolina
†Certified Mediator

April 10, 2015

Of Counsel
Kenneth P. Woodington

Writer's E-Mail: dplyler@dml-law.com

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APR 10 2015

SC Court of Appeals

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

RE. Carlton E. Cantrell v Aiken County, Aiken County Animal Control Director, Shirley Hardin, Aiken County Animal Control Officer Bobby Arthurs, and Judge Charles T. Carter
Appellate Case No 2014-001705
Civil Action Number 2014-CP-02-879
Date of Incident: May 19, 2005
Our File Number. 333.7805

Dear Ms Gee.

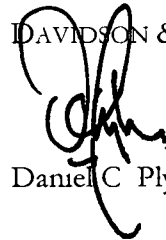
Please find enclosed for filing the originals and one copy each of the Respondents' **Motion to Correct the Record on Appeal and Proof of Service**, in the above referenced matter. Please file the originals and return a clocked-in copy of each document to me in the enclosed envelope.

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

Thank you for your assistance in this matter

Very Truly Yours,

DAVIDSON & LINDEMANN, P.A.



Daniel C Plyler

Enclosures

The Honorable Jenny Abbott Kitchings
April 10, 2015
Page 2

cc: *(w/Enclosures)*

Mr Carlton E. Cantrell
223 Muddy Branch Road
Aiken, South Carolina 29805