

THE STATE OF SOUTH CAROLINA
South Carolina Court of Appeals

APPEAL FROM BARNWELL COUNTY
Court of Common Pleas

Case No. 2012-CP-06-00326

RECEIVED
JUN 12 2015
SC Court of Appeals

Henry Lee Carroll, IIAppellant,

v.

Alex Webb Causey and Stacey Jenkins.....Defendants.
Of Whom Stacey Jenkins is the Respondent.

MOTION TO STRIKE MATTERS FROM APPELLANT'S DESIGNATION OF
MATTER TO BE INCLUDED IN THE RECORD ON APPEAL

Respondent, Stacey Jenkins, moves under Rule 209, SCACR and Rule 210(c), for
an order of this Court striking the following matters from Appellant's Designation of
Matter to be Included in the Record on Appeal:

3. Affidavit of Service Upon Alex Webb Causey
4. Answer of Alex Webb Causey
5. Progressive Direct Insurance Company's Notice of Appearance and Answer
7. Answer by Progressive Direct Insurance Company
8. Motion for Summary Judgment filed by Titan (Nationwide) Indemnity Company
14. Titan (Nationwide) Insurance Company's Answer to the Amended Complaint.
15. Answer to Amended Complaint of Alex Causey
16. Proof of Service by Mailing of Amended Summons and Complaint upon National General Insurance.

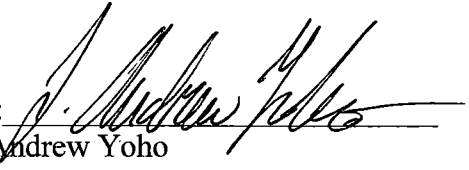
17. Proof of Service by Mailing of Amended Summons and Complaint upon South Carolina Department of Insurance

20. Affidavit of Stacey Jenkins

The above matters are irrelevant to the appeal. In addition, the matters were either not presented to the lower court or were not considered by the lower court in reaching its decision. This appeal is limited to the review of Judge Lee's Order granting Respondent's Motion to Dismiss. The above matters are not germane to the appeal and have no relevancy in the Record on Appeal.

HOWELL, GIBSON & HUGHES, P.A.

By:


J. Andrew Yoho

Post Office Box 40

Beaufort, SC 29901

(843) 522-2400

Attorney for Respondent Stacey Jenkins

Bar No: 100803

Beaufort, South Carolina

May 21, 2015

CERTIFICATE OF SERVICE

I certify that I served the foregoing Motion to Strike upon all counsel of record by affixing same with proper postage placing same with the United States Postal Service addressed to counsels' last known address on ____ day of June, 2015.

By:


J. Andrew Yoho

HOWELL, GIBSON AND HUGHES, P.A.

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JAMES S. GIBSON, JR. *
Of Counsel

*Certified Mediator

June 10, 2015

RECEIVED

JUN 12 2015

SC Court of Appeals

Hon. Jenny Abbott Kitchings
Clerk of Court
South Carolina Court of Appeals
Post Office Box 11629
Columbia, SC 29211

Re: Henry Lee Carroll, II vs. Alex Webb and Stacey Jenkins
Appellate Case No. 2014-002585
Civil Action No.: 2012-CP-06-00326
Our File No: 11486 RWA

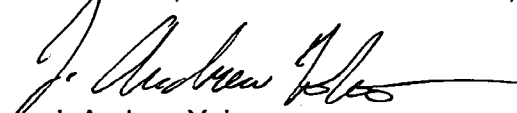
Dear Ms. Kitchings:

Please find enclosed herewith for filing, on behalf of Respondent Stacey Jenkins, an original and six (6) copies of his Motion to Strike Matters from Appellant's Designation of Matter to be Included in the Record on Appeal with regard to the above referenced matter. Also enclosed please find our firm's check in the amount of \$25.00 in payment of the required motion fee. I would appreciate your filing the same and returning a filed clocked copy to me in the enclosed self-addressed, stamped envelope provided for your convenience.

By copy hereof to all counsel of record, I am providing them with a copy of the Motion as well.

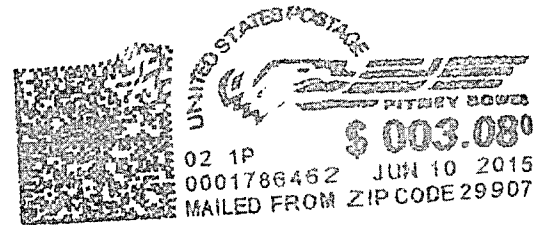
Yours truly,

HOWELL, GIBSON AND HUGHES, P.A.


J. Andrew Yoho

JAY/cab
Enclosure

cc: Julian K. Allen, Esquire
Anthony W. Livoti, Esquire
E. Timothy Moore, Jr., Esquire
Clarissa W Joyner, Esquire



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TO:

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