

THE STATE OF SOUTH CAROLINA  
In the Supreme Court

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APPEAL FROM HORRY COUNTY  
Court of Common Pleas  
The Honorable Ralph P. Stroman - Special Referee

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Unpublished Opinion No. 2015-UP-111  
(Submitted January 1, 2015 – filed March 4, 2015)  
Case Nos.: 2009-CP-26-3596 and  
2010-CP-26-11320  
Appellate Case No. 2015-001019

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**S.C. Supreme Court**

Ronald J. Jarmuth..... Petitioner,

v.

International Club Homeowners  
Association, Inc., Rosemary Toth, and  
K.A. Diehl & Associates, Inc..... Respondents.

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**RETURN TO MOTION TO EXCEED PAGE LIMITATION ON  
PETITION FOR WRIT OF CERTIORARI OR IN ALTERNATIVE TO REMOVE  
INDEX AND TABLE OF AUTHORITIES TO CONFORM TO PAGE LIMIT**

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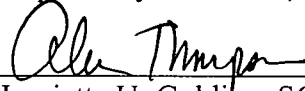
The Respondents, The International Club Homeowners Association, Inc., Rosemary Toth, and K.A. Diehl & Associates, Inc. (“Respondents”), hereby submit this Return to the Motion dated June 22, 2015 of Petitioner, Ronald Jarmuth (“Petitioner”), to Exceed the Page Limitation on Petition for Writ of Certiorari, or in the alternative, to Remove Index and Table of Authorities to Conform to the Page Limit.

Petitioner seeks to exceed the page limitation set forth in Rule 242 of the South Carolina Appellate Court Rules (“SCACR”) to permit additional pages in his Petition for Writ of Certiorari dated May 12, 2015 (“Petition”), or in the alternative, to strike matter from his Petition, in order to conform to Rule 242(d), SCACR. Rule 242(d) requires that “[t]he total length of a petition. . . not exceed twenty-five pages.” The Petition, twenty-seven (27) pages in length, exceeds the page limitation by two (2) pages.

At this late stage, Petitioner cannot amend his deficient Petition to comply with Rule 242(d). Under Rule 242(c), the Petition must be submitted in final form “within thirty (30) days after the petition for rehearing or reinstatement is finally decided by the Court of Appeals.” In other words, Rule 242 precludes the filing of a motion to exceed the page limitation and to strike matters from the Petition after the thirty (30) deadline. The petition for rehearing was finally decided by the Court of Appeals on April 24, 2015, thereby making the deadline for the Petition, and any motion to exceed the page limitation, May 25, 2015. Accordingly, the time period for filing a motion for an extension of the page limitation and/or striking matters from the Petition has long past.

Respondents respectfully request that the Court deny Petitioner’s Motion and his Petition based on his failure to comply with Rule 242, SCACR, or in the alternative, strike the last two (2) pages of his Petition and disregard the issues presented therein.

Respectfully submitted,



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July 1, 2015

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v.

The International Club Homeowners Association, Inc.,  
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and The Court of Common Pleas Fifteenth Judicial Circuit..... Respondents.

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**PROOF OF SERVICE**

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