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THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

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APPEAL FROM CHARLESTON COUNTY  
Court of Common Pleas

JAN 04 2016

SC Court of Appeals

The Honorable R. Markley Dennis, Jr.  
Chief Administrative Judge, Ninth Judicial Circuit

Case No.: 2014-002243

City of Charleston, Charleston Police & Fire  
Departments,.....Respondents.

v.

Derrell Beckley.....Appellant.

**SECOND MOTION TO CORRECT RECORD ON APPEAL**

CHRISTOPHER T. DORSEL  
SC Bar #72504  
Senn Legal, LLC  
P.O. Box 12279  
Charleston, SC 29422  
(843) 556-4045  
Attorney for the Respondent

Derrell Beckley  
1501 Manley Avenue  
North Charleston, SC 29405  
(240) 498-5766  
Pro Se Appellant

Comes now the Respondents moving this Honorable Court for an Order requiring Appellant to correct the Record on Appeal. As background, Respondents filed a Motion to Correct Record on Appeal on June 8, 2015. On November 23, 2015, the Court of Appeals issued an Order granting Respondents' Motion, striking documents that were not submitted to the circuit court and directing Appellant to file an amended record on appeal within twenty days. The undersigned received a copy of the corrected Record on Appeal on December 28, 2015.<sup>1</sup> In reviewing the Record on Appeal, Appellant complied with the Court's Order to remove documents not presented to the circuit court. However, Appellant failed to include in the corrected Record on Appeal the hearing transcript, which was previously designated and relied upon in briefs.

Rule 210, SCACR, requires that the Record include all matters designated by the parties. On May 18, 2015, Respondents filed their Designation of Matter to be Included in the Record on Appeal. In that filing, Respondents designated the "Transcript of Hearing on September 11, 2014." In the most recent corrected Record on Appeal, though, Appellant failed to include the hearing transcript from September 11, 2014. For that reason, Appellant has failed to follow Rule 210, SCACR, by not including a designated and necessary document for the record.

Based on the foregoing, the Respondents respectfully move this Honorable Court for an Order requiring Appellant to correct the Record on Appeal to include the Transcript of Hearing on September 11, 2014. The Respondents also respectfully request that the deadline for filing final briefs be extended until an Order is entered on this motion, and that

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<sup>1</sup> The Certificate of Service states that the Record on Appeal was placed in the mail on December 15, 2015. However, the envelope containing this mailing was postmarked December 23, 2015.

Respondents be given appropriate time to file their final brief after Appellant complies with any such Order on this Motion.



CHRISTOPHER T. DORSEL

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Attorney for Respondents

December 31, 2015  
Charleston, SC

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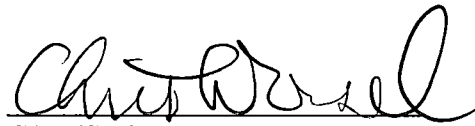
City of Charleston, Charleston Police & Fire  
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**RESPONDENTS CITY OF CHARLESTON & CHARLESTON POLICE & FIRE  
DEPARTMENTS' PROOF OF SERVICE**

I certify that I have served copies of Respondents City of Charleston and Charleston Police & Fire Departments' *Second Motion to Correct Record on Appeal* by depositing a copy of same in the United States Mail, postage prepaid, on *December 31, 2015* addressed to Derrell Beckley, 1501 Manley Avenue, North Charleston, SC 29405, Pro Se Appellant.



CHRISTOPHER T. DORSEL

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Attorney for Respondents



*Senn Legal*  
-LLC-  
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December 31, 2015

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

RE: City of Charleston, et al, v. Derrell Beckley, South Carolina Court of Appeals  
(Case No. 2014-002243)

Dear Clerk:

Enclosed for filing on behalf of Respondents City of Charleston and Charleston Police & Fire Departments, please find an original and one copy of the following:

- (1) Second Motion to Correct Record on Appeal; and
- (2) Proof of Service of the above.

I have additionally included a \$25.00 check representing the filing fee for this request. Please file the original and return file-stamped copies to me in the self-addressed, stamped envelope enclosed for your convenience. If you should have any questions, please do not hesitate to contact me.

Sincerely,

Christopher T. Dorsel

lhc  
Enclosures

cc: (with copy of enclosures)  
Derrell Beckley  
1501 Manley Ave.  
North Charleston, SC 29405

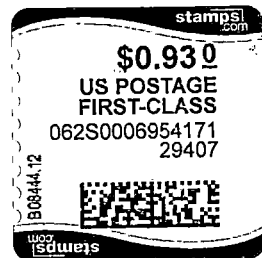
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