

THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

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Appeal From York County  
Court of Common Pleas  
S. Jackson Kimball, Special Circuit Court Judge

APR 08 2016

SC Court of Appeals

79205

Appellate Case No. 2015-000079

Nadine Brantley . . . . . Appellant,

v.

The City of Rock Hill, South Carolina,  
a body politic and subdivision of the  
State of South Carolina, and Wherry  
Construction Co., Inc.,

Of which the City of Rock Hill is . . . . . Respondent.

MOTION TO SUPPLEMENT RECORD ON APPEAL

Respondent City of Rock Hill ("Respondent") hereby moves, pursuant to Rule 212, SCACR, for leave to supplement the Record on Appeal. Respondent submits the following in support of its motion.

Respondent seeks to supplement the record to include portions of deposition transcripts cited in Respondent's Brief that Respondent accidentally omitted in the Designation of Matter to be Included in the Record on Appeal. Specifically, Respondent seeks to supplement the Record to include the

following: Deposition of Nadine Catalfano Brantley, pp. 36-41; Deposition of James Gwin Bagley, Jr., pp. 19-20, 54-57; and Deposition of Ronald E. Wright, pp. 60-61. Respondent cited these portions in its Initial Brief but inexplicably failed to include them in its Designation.

Pursuant to Rule 212(c), SCACR, Respondent is hereby including and serving with this Motion a proposed Appendix to Record on Appeal containing the deposition transcript pages with which Respondent seeks to supplement the Record on Appeal.

**WHEREFORE**, Respondent respectfully requests that the Court grant Respondent leave to supplement the Record on Appeal and accept for filing the Appendix to Record on Appeal served herewith this Motion.

Respectfully Submitted,

SPENCER & SPENCER, P.A.

Date: April 6, 2016

By: 

W. Mark White  
Jeremy D. Melville  
226 East Main Street  
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ATTORNEYS FOR RESPONDENT

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Of which the City of Rock Hill is . . . . . Respondent.

**PROOF OF SERVICE**

I certify that the foregoing Motion to Supplement Record  
on Appeal and Appendix to Record on Appeal have been served by  
depositing copies thereof in the United States Mail, postage  
prepaid, on April 6, 2016, addressed to:

Nadine Brantley  
9501 Greyson Ridge Drive  
Charlotte, North Carolina 28277

SPENCER & SPENCER, P.A.

Date: April 6, 2016

By: 

W. Mark White  
Jeremy D. Melville  
226 East Main Street  
P.O. Box 790  
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ATTORNEYS FOR RESPONDENT

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*Attorneys and Counselors at Law*

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EMIL W. WALD (1934-2011)  
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\* Also admitted in NC

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SC Court of Appeals

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April 6, 2016

The Honorable Jenny Abbott Kitchings  
South Carolina Court of Appeals  
1220 Senate Street  
Columbia, South Carolina 29201

Re: **Nadine Brantley v. The City of Rock Hill, et al.**  
**Appellate Case No.: 2015-000079**

Dear Ms. Kitchings:

Enclosed please find the following documents in the matter referenced above:

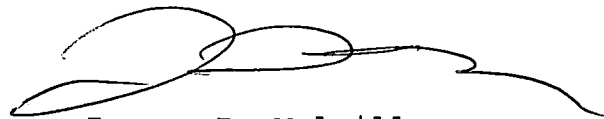
(1) An original and 6 copies of the Motion to Supplement Record on Appeal and Proof of Service; and

(2) An original and 15 copies of the Appendix to Record on Appeal.

Also enclosed is a \$25.00 check for the motion fee. Please file the originals with the records of the Court of Appeals and return clocked copies to me in the enclosed envelope. Thank you for your assistance and please call if you have any questions.

Sincerely,

SPENCER & SPENCER, P.A.



Jeremy D. Melville

enclosures

cc: Nadine Brantley

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SC Court of Appeals

**SPENCER & SPENCER, P.A.**

**ATTORNEYS AT LAW**

**P.O. BOX 790**

**ROCK HILL, SC 29731-6790**

**To:** The Honorable Jenny Abbott  
Kitchings  
South Carolina Court of Appeals  
1220 Senate Street  
Columbia, South Carolina 29201