

STATE OF SOUTH CAROLINA)
)
COUNTY OF CHARLESTON)

AFFIDAVIT

RECEIVED
MAY 09 2016
SC Court of Appeals

Personally came and appeared before me, Notary Public, C. Collie, who upon being duly sworn did depose and say the following:


- a . I am the appellant and this affidavit is submitted in support of the attached return.

- b . The item designated by respondents has not been presented to the lower court during this appeal, it has not been ruled upon by the lower court, and Rule 210(c), SCACR, prohibits inclusion in the Record on Appeal (ROA).

- c. Respondents' motion materially omits the following provision, "The Record **shall not**, however, include matter which was not presented to the lower court or tribunal." Rule 210(c), SCACR (emphasis supplied).

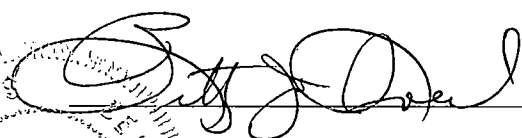
- d. For substantial justice affecting substantial rights, respondents' motion should be stricken, dismissed, and/or denied.

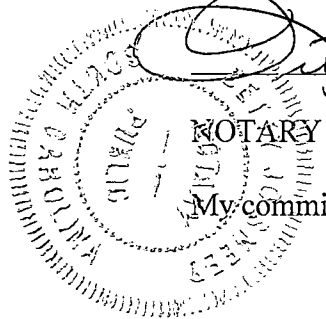
FURTHER THE AFFIANT SAITH NOT.


C. Collie

Subscribed and sworn to before me,

Notary Public, this 4 day
of May, 2016.





NOTARY PUBLIC

**My Commission Expires
December 18, 2016**

My commission expires: _____.