

The South Carolina Court of Appeals

Paul Curry, Appellant,

v.

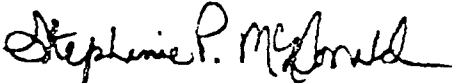
Town of Atlantic Beach, Respondent.

Appellate Case No. 2015-001398

ORDER

Appellant has filed a motion to strike an item designated by Respondent for inclusion in the record on appeal because it was not presented to the lower court. The item is entitled "Defendant's Pre-trial Brief, January 14, 2013." Respondent has not filed a return. Accordingly, the motion is granted. *See* Rule 210(c), SCACR ("The Record shall not . . . include matter which was not presented to the lower court or tribunal."). The item shall not be included in the record on appeal, which shall be served within thirty days of the date of this order.


Respondent's counsel has filed a motion to be relieved, explaining the Respondent Town of Atlantic Beach has failed to fulfill its obligations to her for professional services rendered. The Respondent Town of Atlantic Beach was served with the motion and was requested by this Court to file a return, but did not do so. Accordingly, the motion is granted. Respondent has thirty days to obtain new counsel.



FOR THE COURT

Columbia, South Carolina

FILED

7/5/16 

cc: Randall K. Mullins, Esquire
Leah B. Moody, Esquire
Town of Atlantic Beach