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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

JUL 18 2016
SC Court of Appeals

R. Markley Dennis, Jr., Circuit Court Judge

Appellant Case No. 2016-000553

Matthew L. Dawson and Kateri Dawson, Plaintiffs,

Of whom Matthew L. Dawson is the Appellant,

v.

Ravenel Associates, Inc. d/b/a Ravenel Associates, Defendant.

Mathew L. Dawson, Plaintiff,

v.

Village Green Homeowners Association, Defendant,

Of whom Village Green Homeowners Association is the Respondent.

APPELLANT'S MOTION TO DENY RESPONDENT'S MOTION FOR
SUPPLEMENTAL RECORD ON APPEAL

Matthew L. Dawson
3290 Middleburry Lane
Charleston, South Carolina 29414
(843) 822-4338

**MOTION TO DENY RESPONDENT'S MOTION FOR A SUPPLEMENT TO THE
RECORD ON APPEAL**

Appellant hereby moves this Honorable Court to deny Respondent's request for a Supplement to the Record on Appeal. Respondent received the Record on Appeal timely and had ample time to review the Appellant's Record of Appeal and to respond to Appellant with any change requests. Record on Appeal was not void of all evidence. Respondent was not definitive on their Designation of Matter to be Included in the Record on Appeal or in their Initial Brief for specific pages of documents to include the deposition transcripts. Respondent is being unreasonable in requesting full Village Green Homeowners Association, Inc. (VGHOA) documentation and depositions when their Initial Brief refers to only portions of the deposition transcripts or not at all. The deposition of Virginia Adrihan is not referenced in Respondent's Initial Brief but it is listed on the Respondent's Designation of Matter to be Included in the Record on Appeal. The Respondent's Designation of Matter to be Included in the Record on Appeal is not compliant with Rule 209(b) which states "The Designation must clearly identify what the party desires to have included in the Record on Appeal" and that "A party shall not include any matter in his Designation which is not relevant to the appeal." Respondent makes general references to VGHOA documents without citing specific pages. Including the entire documentation of the Declaration of Covenants, Conditions, and Restrictions for Village Green Subdivision, the Bylaws of Village Green Homeowners Association, Inc., the ARB Guidelines of Village Green Homeowners Association, Inc., and entire depositions is burdening the Court and the Appellant with a voluminous amount of unreferenced documentation since Respondent is only making general references to portions of the documentation. Appellant believes

Respondent is burdening Appellant with unnecessary time and expense as their Designation of Matter to be Included in the Record on Appeal is not specific and makes no reference regarding specific pages or lines in their Initial Brief. It is clear from their Initial Brief that Respondent's are not referencing every page and every line from the VGHOA documents and depositions.

Respondent received the Record on Appeal promptly and did not inform Appellant of any missing documentation. Respondent only contacted Appellant in an email on Friday, July 8, 2016 with a confusing response date of Monday, July 8, 2016 (email attached). Appellant mailed Record on Appeal June 23, 2016 2-day priority USPS (labels & delivery confirmation attached) to Attorney's for Respondent that provided ample time for Respondent to review and make contact with Appellant for a Supplement to the Record on Appeal request. It is, therefore requested that the Honorable Court deny Respondent's request for a Supplement to the Record on Appeal.

Respectfully submitted,



Matthew L. Dawson
Appellant pro se

July 15, 2016

Subject: Dawson v. Village Green -- Record on Appeal
From: Farley, William J. III (wfarley@carlockcopeland.com)
To: mdawsoncpa@yahoo.com;
Date: Friday, July 8, 2016 9:22 AM

Mr. Dawson:

Good morning. We received your Record on Appeal. I believe a few of the deposition transcripts we included on our Designation of Matters to be Included on the Record were missing. We will need to supplement the Record prior to filing our Final Brief. Will you agree to supplement with those transcripts? If so, I will get you a list of items that were missing. Please let me know something by **Monday, July 8, 2016**. You can reach me via email or my direct number is below.

Thanks,

Will



William J. Farley III

Associate

Carlock, Copeland & Stair, LLP

d: 843.266.8223 | f: 843.727.2995 | wfarley@carlockcopeland.com

40 Calhoun Street, Suite 400 | Charleston, South Carolina 29401

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Attachments

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 CARLOCK, COPELAND & STAIR, LLP
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 STE 400
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SHIP TO: KEVIN W MIMS, ESQUIRE
 LUZURLAGA MIMS, LLP
 50 IMMIGRATION ST
 STE 200
 CHARLESTON SC 29403-3645

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June 24, 2016, 9:00 am	Sorting Complete	CHARLESTON, SC 29403
June 24, 2016, 5:17 am	Arrived at Post Office	CHARLESTON, SC 29403
June 23, 2016, 10:26 pm	Arrived at USPS Facility	CHARLESTON, SC 29423
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June 22, 2016	Pre-Shipment Info Sent to USPS	

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM CHARLESTON COUNTY
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R. Markley Dennis, Jr., Circuit Court Judge

Appellant Case No. 2016-000553

Matthew L. Dawson and Kateri Dawson, Plaintiffs,
Of whom Matthew L. Dawson is the Appellant,

v.

Ravenel Associates, Inc. d/b/a Ravenel Associates, Defendant.

Mathew L. Dawson, Plaintiff,

v.

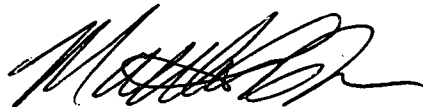
Village Green Homeowners Association, Defendant,

Of whom Village Green Homeowners Association is the Respondent.

PROOF OF SERVICE

I certify that I have served one (1) copy of *Appellant's Motion to Deny Respondent's Motion for a Supplement to the Record on Appeal* by depositing a copy of it in the United States Mail, postage prepaid, on July 15, 2016, addressed to their attorneys of record, Douglas W. Mackelcan, D. Gary Lovell, Jr., and William J. Farley, III, 40 Calhoun Street, Suite 400, Charleston, South Carolina 29401 and Kevin W. Mims, 50 Immigration Street, Suite 200, Charleston, South Carolina 29403.

July 15, 2016



Matthew L. Dawson
3290 Middleburry Lane
Charleston, South Carolina 29414
(843) 822-4338
Appellant

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SC Court of Appeals

Matthew L. Dawson
3290 Middlebury Lane
Charleston, SC 29414
843.822.4338

July 15, 2016

The Honorable Jenny A. Kitchings
South Carolina Court of Appeals
1220 Senate Street
Columbia, SC 29201

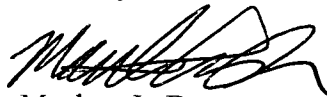
RE: Matthew L. Dawson and Kateri Dawson, Plaintiffs,
Of whom Matthew L. Dawson is the Appellant,
v.
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Mathew L. Dawson, Plaintiff,
v.
Village Green Homeowners Association, Defendant,
Of whom Village Green Homeowners Association is the Respondent.

Appellate Case No. 2016-000553

Dear Ms. Kitchings:

I have enclosed an original and six (6) copies of Appellant's Motion to Deny Respondent's Motion for a Supplement to the Record on Appeal along with the Proof of Service and the filing fee.

Sincerely,



Matthew L. Dawson

CC:

Douglas W. Mackelcan, Esquire
Kevin W. Mims, Esquire
D. Gary Lovell, Jr. Esquire
William J. Farley, III, Esquire



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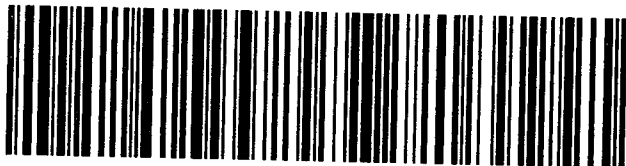
SC Court of Appeals

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