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**THE STATE OF SOUTH CAROLINA  
In the Court of Appeals**

**Appeal No. 2016-001063**

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**APPEAL FROM HORRY COUNTY  
Court of Common Pleas**

**Benjamin H. Culbertson, Circuit Court Judge**

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**CASE NUMBER 2009-CP-26-3596**

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**Ronald Jarmuth**

**Appellant,**

**v.**

**The International Club**

**Respondent**

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**APPELLANT'S MOTION TO DELAY FILING RECORD ON APPEAL**

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**Ronald Jarmuth  
249 Pickering Drive  
Murrells Inlet, SC 29576  
843-314-4355  
Appellant, Pro Se**

**Henrietta U. Golding  
Alicia F. Thompson  
2411 Oak Street; Suite 206  
Myrtle Beach, SC 29577-3164  
843-444-1107  
Attorneys for Respondent**

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1. Appellant hereby moves for an order of this Court delaying the filing of the Record on Appeal until thirty (30) days after this Court decide Appellant's previously filing Motion to Limit the Record on Appeal.

2. This motion is filed well in advance of the deadline to file the Record on Appeal. On Monday, December 5, 2016 Appellant filed his Initial Reply Brief. At the same time Appellant filed his Motion to Limit the Record on Appeal. The same day Appellant also filed his "final" Designation of Matters to be included in the Record on Appeal.

3. At the same time that Respondent filed its' Initial Response Brief Respondent filed its' Designation of the matter to be included in the Record on Appeal. Appellant's Designation demanded that documents totaling approximately three (3) feet of paper that the Court never saw or considered be included in the Record on Appeal in violation of SCRAP Rules 209 (b) which provides that

"A party shall not include any matter in his designation which is not relevant to the appeal"

and SCRAP Rule 210 (c) which provides that

"The Record shall not, however, include matter which was not presented to the lower court". .

4. As explained at length in Appellant's Motion to Limit, this appeal arises from a very short post-trial hearing, perhaps ten (10) minutes, where the only material actually before the Court at the hearing was Plaintiffs eight (8) page Motion with one eight page exhibit, Defendant's eight (8) page Response in Opposition with three exhibits totaling eighteen (18) pages, and, at the hearing, Plaintiff's eleven (11) exhibits totaling 210 pages which together adds up to approximately one (1) inch of paper.

5. Absent this very non-trivial dispute about what belongs in the Record on Appeal, the record would be filed on January 4, 2017. The Appellate Court's resolution of this dispute will not occur until after that date. In accordance with established practice, this motion is filed well in advance of that January 4, 2017 due date. Earlier in this appeal, the Court of Appeals granted Respondent's motion (filed well after the due date) to delay the filing of Respondent's Initial Response Brief until after a Respondent motion was decided.

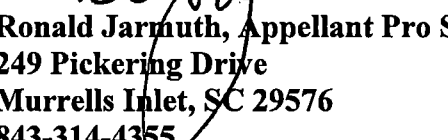
6. No party will be harmed in any way by the granting of this Motion to Delay the filing of the Record on Appeal until after the Motion to Limit the Record on Appeal is resolved. Absent such a delay there will be confusion as to what the page numbers should be for particular items in the Record on Appeal.

#### CONCLUSION

7. Conclusions.

a. Good cause has been shown to grant a delay in the filing of the Record on Appeal.

b. The Court should enter an Order that the Record on Appeal should be served and filed thirty (30) days after the Court enters an Order resolving what shall be included in the Record on Appeal.



Ronald Jarmuth, Appellant Pro Se  
249 Pickering Drive  
Murrells Inlet, SC 29576  
843-314-4355  
December 8, 2016

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In the Court of Appeals**

**Appeal No. 2016-001063**

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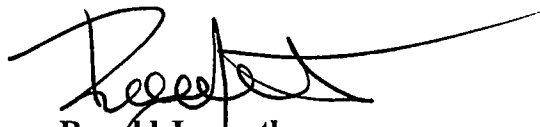
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**PROOF OF SERVICE**

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**I certify that on December 8, 2016 I served Appellant's Motion to Delay Filing the "Record on Appeal" on Respondent by depositing a copy of same in the United States Mail, postage prepaid, addressed to Respondent's attorney of record, Henrietta Golding; McNair Law Firm, P.A.; 2411 Oak Street; Suite 206; Myrtle Beach, SC 29577-3164**

**December 8, 2016**

  
**Ronald Jarmuth  
249 Pickering Drive  
Murrells Inlet, SC 29576  
843-314-4355  
Appellant, Pro Se**

Ronald Jarmuth  
249 Pickering Drive  
Murrells Inlet, SC 29576  
843-314-4355  
December 8, 2016

The Honorable Jenny Abbott Kitchings, Clerk  
South Carolina Court of Appeals  
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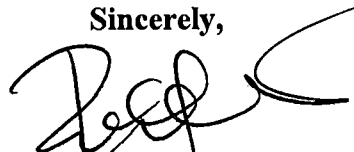
Re: Motion to Delay Filing Record on Appeal in Appeal Case 2016-001063  
Jarmuth v International Club

Dear Madam Clerk:

Please file the attached Motion to Delay Filing of Record on Appeal in Appellate Case 2016-001063 Jarmuth v International Club which I provide as one unbound plus six bound copies, together with my check in the amount of twenty five dollars, the motion filing fee.

Thank you for your attention to this matter.

Sincerely,



Ronald Jarmuth  
Appellant Pro Se  
249 Pickering Drive  
Murrells Inlet, SC 29576

Enc: as

Cf: Henrietta Golding, Attorney for Respondents



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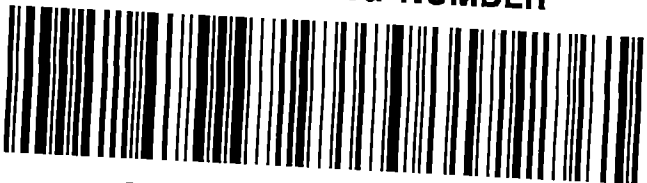
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SC Court of Appeals

Ronald Jarmuth  
PO Box 2661  
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SC Court of Appeals  
PO Box 11629  
Columbia, South Carolina 29211

Label 228, March 2016

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