

THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

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APPEAL FROM CHARLESTON COUNTY  
Court of Common Pleas

Diane S. Goodstein, Circuit Court Judge

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Case No.: 2016-000650

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**RECEIVED**

JAN 05 2017

SC Court of Appeals

Terrell L McCoy, 256070, ..... Appellant

v.

North Charleston Police Department and  
Sgt. Thomas Deckard, of which, North  
Charleston Police Department is, ..... Respondent

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**RESPONDENT'S REPLY THAT IT CANNOT COMPLETE ITS FINAL BRIEF  
WITHOUT DESIGNATED MATERIAL  
IN THE RECORD ON APPEAL**

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Respondent is now in receipt of the Appellant's Response to the memorandum that no corrected Record on Appeal has been received by Respondent. Counsel for Respondent has also spoken with the Clerk's Office and reviewed the court's online record for this matter..

Counsel for Respondent is not trying to be difficult or cause problems, but cannot complete the final brief without page numbers to properly cite to the Record on Appeal. The documents missing from the Record on Appeal that was provided to Respondent are


Respondent's designations #2 Defendants' Motion to Dismiss and #5 FOIA Complaint - November 22, 2013. Both documents are cited in Respondent's brief and are important to this appeal.

Counsel for Respondent has reviewed the online record for the Court of Appeals to see if Appellant had in fact sent the court a corrected Record on Appeal. There is no such document. Instead, there is a letter dated October 24, 2016, and filed on October 28, 2016, that says he is including the corrected caption for his brief and the caption for the Record on Appeal. The documents he says are included are not attached to the correspondence in the court's file. There is no filing in the court's record showing that Inmate McCoy has ever added the Respondent's designated documents, numbered them into the Record on Appeal and served them on anyone.

Respondent asks that the Appellant be instructed to include these documents in the Record on Appeal and serve Respondent with a copy of the correctly numbered pages so Respondent may properly cite to such documents and file its final brief. Respondent also asks that Appellant be required to serve a legible copy of the transcript of the May 7, 2015 hearing on the court.

Because it is impossible for Respondent to properly file a final brief without a complete Record on Appeal for citation, Respondent respectfully requests that the deadline for its final brief be held in abeyance pending a ruling and service of the corrected Record on Appeal.

*{Signature Page Follows}*



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January 3, 2017

Attorney for Respondent

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**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a true copy of Respondent's Reply Regarding  
Completing Final Brief without Proper Record on Appeal has been served upon the pro se  
appellant by mailing a copy properly addressed with sufficient postage affixed thereto this  
3<sup>rd</sup> day of January, 2017, to the following:

Inmate Terrell L McCoy, #256070  
Leiber Correctional Institution  
Edisto #12  
P.O. Box 205  
Ridgeville, SC 29472

  
ROBIN L. JACKSON



*Senn Legal*  
-LLC-  
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January 3, 2017

The Honorable Jenny Abbott Kitchings  
Clerk, South Carolina Court of Appeals  
Post Office Box 11629  
Columbia, SC 29211

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SC Court of Appeals

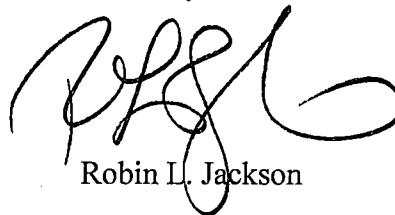
RE: McCoy v. North Charleston Police Department et al.  
Case No.: 14-CP-10-770 APP: 2016-00650

Dear Madam Clerk:

Please find enclosed the Respondent's Reply to Inmate McCoy's statement that he corrected the Record on Appeal based on the court's record.

With kind regards, I am,

Sincerely,



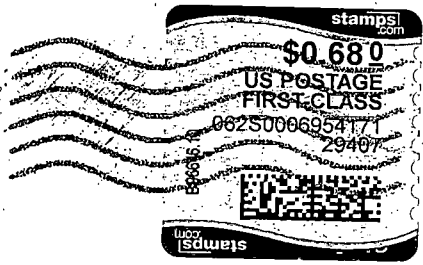
Robin L. Jackson

RLJ/mos  
Enclosure

cc: Inmate Terrell McCoy

Walter L. Jackson, Esquire  
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