

# The South Carolina Court of Appeals

Branch Banking and Trust Company, Respondent,

v.

Wilton H. Cain and Cassandra M. Cain, Appellants.

Appellate Case No. 2016-000292

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## ORDER

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On January 12, 2017, this Court ordered Appellants to file and serve an amended record on appeal within twenty days. On February 1, 2017, Appellant served and filed the amended record.

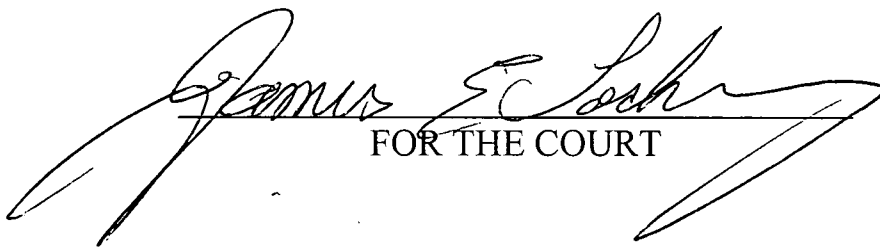
Respondent has now filed a renewed motion to strike, arguing the amended record on appeal still: (1) omits documents that were designated in Respondent's designation of matter; (2) includes matter not presented to the lower court; and (3) fails to comply with the South Carolina Appellate Court Rules.

After consideration of the motion and Appellants' return, Respondent's motion is granted. Within twenty days of this order, Appellants shall serve and file a second amended record on appeal. The amended record shall include all matters designated by the parties, including unaltered copies of the following documents in their entirety:

- (1) Order Confirming Deficiency Judgment and Denying Motion to Alter, Amend or Reconsider dated January 26, 2016;
- (2) BB&T Complaint for Foreclosure dated October 4, 2010; and
- (3) Brief Regarding Deficiency Judgment and Exhibit dated January 7, 2016.

Furthermore, the second amended record shall not include any matters not presented to the lower court. *See* Rule 210(c), SCACR. Appellants shall specifically exclude their brief from the second amended record on appeal and shall also exclude the documents set forth as items (a) through (i) on pages three and four of Respondent's motion to strike.

Finally, the record shall be arranged in the order set forth in Rule 210(c), SCACR, and the pages of the record must be consecutively numbered beginning with the index.



FOR THE COURT

Columbia, South Carolina

**FILED**

March 30, 2017

cc:

Wilton H. Cain

Cassandra M. Cain

Erica Greer Lybrand, Esquire