

The South Carolina Court of Appeals

Christopher Duvall and Natalie Duvall, Plaintiffs,

v.

The Ryland Group, Inc., Defendant.

And

The Ryland Group, Inc., Third-Party Plaintiff,

v.

Land Site Services, Inc., Carolina Consulting Engineers, Inc., Higdon Concrete, LLC, A.C. Construction, Inc., and Stark Truss Company, Inc. a/k/a Stark Truss Company of Summerville, Ltd. a/k/a Stark Truss, Inc. d/b/a Carolina Truss Systems, Inc., Third Party Defendants,

Of which The Ryland Group, Inc. is the Appellant,

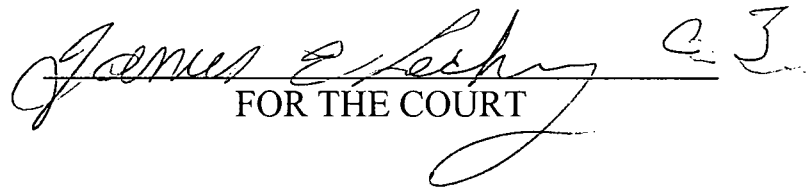
And

Of which Christopher Duvall and Natalie Duvall, Land Site Services, Inc., Carolina Consulting Engineers, Inc., and Stark Truss Company, Inc. a/k/a Stark Truss Company of Summerville, Ltd. a/k/a Stark Truss, Inc. d/b/a Carolina Truss Systems, Inc. are the Respondents.

Appellate Case No. 2016-001825

ORDER

Appellant has filed a motion to strike, arguing that several of the documents listed in Respondents' designation of matter and referenced in Respondents' initial brief were not presented to the circuit court. Respondents filed a return, explaining that the documents at issue in the motion to strike were referenced in other documents that were filed with the circuit court and in statements made during the hearing before the circuit court. After considering the motion, the return, and the reply, the motion to strike is granted. *See* Rule 210, SCACR (providing that the record on appeal shall not include any matter which was not presented to the lower court). Within twenty days of this order, Respondents shall serve and file an amended initial brief and an amended designation of matter. The amended designation of matter shall only include those documents that were part of the record before the circuit court, and the amended initial brief shall not include references to the stricken documents.


FOR THE COURT

Columbia, South Carolina

cc:

Thomas C. Hildebrand, Jr., Esquire
Olesya Vladimirovna Vaskevich, Esquire
James Taylor Anderson, III, Esquire
John Elliott Rogers, II, Esquire
Carl Reed Teague, Esquire
Kevin W. Mims, Esquire
Caroline Coward McIntosh, Esquire
Patrick T. Morrissey, Esquire
Mark Steven Barrow, Esquire
Christy Elizabeth Mahon, Esquire
Perry McPherson Buckner, IV, Esquire
James Camden Hodge, Esquire
Robert Michael Ethridge, Esquire
Robert Buchanan Hawk, Esquire
Matthew Thomas Hemingway, Esquire

FILED

April 7, 2017