

STATE OF SOUTH CAROLINA  
In the Court of Appeals

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APPEAL FROM THE ADMINISTRATIVE LAW COURT

Administrative Law Judge H.W. Funderburk, Jr.

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ALC Case No. 16-ALJ-04-0730-AP  
Appellate Case No. 2017-000694

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**RECEIVED**

SEP 05 2017  
SC Court of Appeals

JEROME OWENS, # 299108,

APPELLANT,

v.

SOUTH CAROLINA DEPARTMENT OF CORRECTIONS,

RESPONDENT.

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**MOTION TO REQUIRE APPELLANT TO FILE A CORRECTED RECORD ON  
APPEAL**

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Comes now Respondent, through undersigned counsel, and requests that this Court require Appellant to file a corrected Record on Appeal which is correctly paginated for the Court's reference. The relevant facts supporting this request are as follows.

Appellant filed a Notice of Appeal in this case on March 22, 2017. Appellant then filed his Initial Brief on May 4, 2017 and his Designation of Matter on May 8, 2017. Thereafter, on May 22, 2017, undersigned counsel submitted an Initial Brief of Respondent and Designation of Matter. On August 18, 2017, Appellant filed the Record on Appeal.

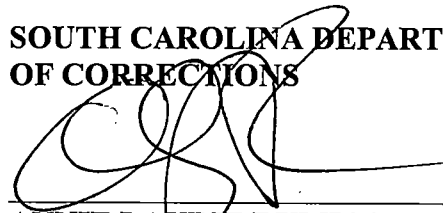
Appellant did not properly paginate the record, which makes it impossible to properly refer to the Record in the Final Brief. Rule 210(b) of the South Carolina

Appellate Court Rules requires that “[e]ach page of the Record on Appeal shall be numbered consecutively beginning with the index.”

Because Appellant has not filed a properly paginated Record on Appeal, Respondent cannot file a proper Final Brief of Respondent with correct record references. Accordingly, Respondent respectfully requests that this Court require Appellant to file a corrected Record on Appeal. Respondent further requests that this Court hold the time period for any filings in abeyance pending resolution of this motion.

Respectfully submitted,

**SOUTH CAROLINA DEPARTMENT  
OF CORRECTIONS**



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**ANNIE LAURIE RUMLER**  
South Carolina Bar # 101851  
Staff Attorney  
Office of General Counsel  
S. C. Department of Corrections  
Post Office Box 21787  
Columbia, South Carolina 29221  
(803) 896-1355

September 1, 2017

STATE OF SOUTH CAROLINA  
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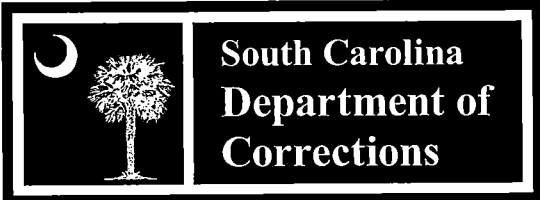
RESPONDENT.

**CERTIFICATE OF SERVICE**

Undersigned counsel hereby certifies that on today's date, I mailed a copy of Respondent's **Motion to Require Appellant to File a Corrected Record on Appeal** to Appellant, addressed as follows: Jerome Owens, # 299108, Allendale Correctional Institution, P.O. Box 1151, Fairfax, South Carolina, 29827.

  
**Annie Laurie Rumler**  
South Carolina Bar # 101851  
Staff Attorney  
Office of General Counsel  
S. C. Department of Corrections  
Post Office Box 21787  
Columbia, S. C. 29221  
(803) 896-1355

September 1, 2017



**South Carolina  
Department of  
Corrections**

HENRY McMASTER, Governor  
BRYAN P. STIRLING, Director

OFFICE OF GENERAL COUNSEL

May 22, 2017

The Honorable Jenny A. Kitchings  
Clerk of Court, S.C. Court of Appeals  
Post Office Box 11629  
Columbia, South Carolina 29211

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SEP 05 2017  
SC Court of Appeals

**RE: Jerome Owens, # 299108, v. South Carolina Department of Corrections**  
**Appellate Case No. 2017-00-694**

Dear Ms. Kitchings:

Enclosed please find Respondent's **Motion to Require Appellant to File a Corrected Record on Appeal** in the above captioned appeal, along with **Proof of Service**.

Thank you for your attention to this matter, and please do not hesitate to contact me should you have any questions or concerns.

Sincerely,

Annie Laurie Ruzler  
Staff Attorney  
South Carolina Department of Corrections

cc: Jerome Owens, # 299108  
Allendale Correctional Institution  
P.O. Box 1151  
Fairfax, South Carolina 29067



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The Honorable Jenny A. Kitchings  
Clerk of Court, S.C. Court of Appeals  
Post Office Box 11629  
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**SC Court of Appeals**

29211-162929

