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THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

APPEAL FROM JASPER COUNTY  
Court of Common Pleas

Darrell Thomas Johnson, Jr., Special Referee

APPELLATE CASE NO: 2016-000042

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SEP 01 2017  
SC Court of Appeals

C. E. LOWTHER, JR., CLAYTON CLARK  
LOWTHER, MITCHELL S. LOWTHER  
AND EFFIE SANDRA TURPIN,.....Respondents.

v.

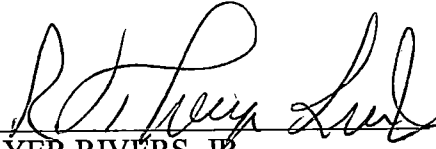
E. LEGRAND LOWTHER.....Appellant.

**MOTION FOR AN ORDER REQUIRING THE  
APPELLANT TO AMEND THE RECORD ON APPEAL**

The Respondents hereby move for an Order requiring the Appellant to amend the Record on Appeal. This motion is based upon the following:

1. My review of the Record on Appeal revealed that two of the documents that are included in my Designation of Matter were NOT included in the Record, specifically documents Numbered 11 and 19 in the Respondents' Designation.
2. That I have contact the Appellant's attorney regarding the omission of these documents and have requested that he file a motion to amend the Record.
3. That out of an abundance of caution, I am making this motion to protect my clients' interests.

LAW OFFICE OF R. THAYER RIVERS, JR.

A handwritten signature in black ink, appearing to read "R. Thayer Rivers, Jr.", written over a horizontal line.

R. THAYER RIVERS, JR.

Post Office Box 668  
Ridgeland, SC 29936  
843-726-8136

Attorney for the Appellants

Ridgeland, SC,  
August 29, 2017

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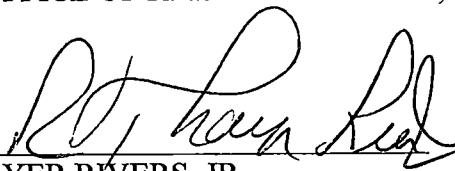
v.

E. LEGRAND LOWTHER.....Appellant.

**PROOF OF SERVICE**

I certify that I have served the Respondents' Motion for an Order Requiring the Appellant to Amend the Record on Appeal on the Appellant, E. Legrand Lowther, by depositing a copy of same in the United States Mail, postage prepaid, on August 29, 2017, addressed to his attorney of record, H. Fred Kuhn, Jr., Post Office Drawer 507, Beaufort, SC, 29901.

LAW OFFICE OF R. THAYER RIVERS, JR.



R. THAYER RIVERS, JR.  
Post Office Box 668  
Ridgeland, SC 29936  
843-726-8136

Attorney for the Appellants

Ridgeland, SC,  
August 29, 2017

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LOWTHER, MITCHELL S. LOWTHER  
AND EFFIE SANDRA TURPIN,.....Respondents.

v.

E. LEGRAND LOWTHER.....Appellant.

**RESPONDENTS' DESIGNATION OF MATTER TO BE  
INCLUDED IN THE RECORD ON APPEAL**

The Respondents hereby designate the following documents to be included in the Record on Appeal.

1. Report of Special Referee dated March 15, 2010.
2. Motion to Reconsider dated March 31, 2010.
3. Motion to Reconsider dated April 30, 2010.
4. Order denying Rule 59 Motions dated March 19, 2012.
5. Notice of Appeal dated April 4, 2012.
6. Order and Remittitur dated September 11, 2012.
7. Order Denying Motion to Reconsider dated October 5, 2012.

8. Motion to Suspend Judgment Sale dated July 2, 2014.
9. Computation filed July 3, 2014.
10. Order of the Honorable Marvin H. Dukes, III, filed July 7, 2014.
11. Administrative Order Referring this Non-Jury Action to the Beaufort County Master in Equity dated July 10, 2014.
12. Appellant's Motion to Reconsider dated July 23, 2014.
13. Notice of Sale.
14. Writ of Execution.
15. Order on Defendant's Motion to Suspend Sale dated August 1, 2014.
16. Motion to Reconsider dated August 11, 2014.
17. Sheriff's deed dated August 14, 2014.
18. Order denying Appellant's Motion to Reconsider, dated December 22, 2015.
19. Corrective Order Authorizing the Sale of Lot 6 Echotango.

I certify that this designation contains no matter which is irrelevant to this appeal.

LAW OFFICE OF R. THAYER RIVERS, JR.

By: \_\_\_\_\_

  
R. THAYER RIVERS, JR.

Post Office Box 668

Ridgeland, SC 29936

843-726-8136

843-726-4401

Ridgeland, SC

May 16, 2017.

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MAY 19 2017

SC Court of Appeals

APPEAL FROM JASPER COUNTY  
Court of Common Pleas

Darrell Thomas Johnson, Jr., Special Referee

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C. E. LOWTHER, JR., CLAYTON CLARK  
LOWTHER, MITCHELL S. LOWTHER  
AND EFFIE SANDRA TURPIN.....Respondents.

v.

E. LEGRAND LOWTHER.....Appellant.

PROOF OF SERVICE

I certify that I have served the Initial Brief of Respondents and Respondent's Designation of Matter to be Included in the Record on the Appellant, E. Legrand Lowther, by depositing a copy of same in the United States Mail, postage prepaid, on May 16, 2017, to his attorney of record, H. Fred Kuhn, Jr., Post Office Drawer 507, Beaufort, SC 29901.

Law Office of R. Thayer Rivers, Jr.



R. THAYER RIVERS, JR.  
Post Office Box 668  
Ridgeland, South Carolina 29936  
(843) 726-8136

Attorney for the Respondents

**LAW OFFICE  
R. THAYER RIVERS, JR.  
COURTHOUSE SQUARE  
252 RUSSELL STREET  
POST OFFICE BOX 668  
RIDGELAND, SOUTH CAROLINA 29936**

**R. THAYER RIVERS, JR.  
ALSO ADMITTED IN GEORGIA**

**TELEPHONE  
(843) 726-8136  
FACSIMILE  
(843) 726-4401**

August 29, 2017

Ms. V. Claire Allen  
Deputy Clerk  
Post Office Box 11629  
Columbia, SC 29211

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**RE: C. E. LOWTHER, JR. et al., v. E. LEGRAND LOWTHER  
APPELLATE CASE NUMBER: 2016-000042**

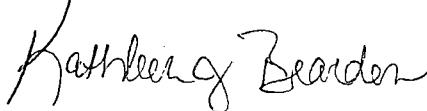
Dear Ms. Allen:

Enclosed please find the original and seven (7) copies each of the Respondents' Motion for an Order Requiring the Appellant to Amend the Record on Appeal and Respondents' Motion to File Final Brief Out of Time, together with the requisite filing fees, in the above matter. Please return a clocked copy of each Motion in the envelope provided.

By copy of this letter, I am serving H. Fred Kuhn, Jr., attorney for the Appellant, a copy of the aforementioned Motions.

Thank you and kindest regards.

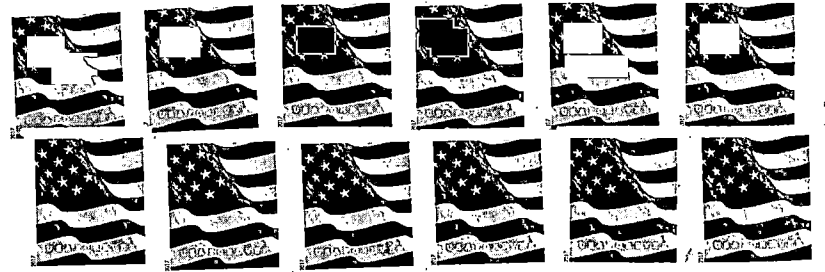
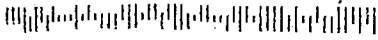
Most sincerely,



Kathleen J. Bearden  
Paralegal to R. Thayer Rivers, Jr.

:kjb  
Enclosures

cc: H. Fred Kuhn, Jr., Esquire (w/encl.)



LAW OFFICE  
R. THAYER RIVERS, JR.  
COURTHOUSE SQUARE  
252 RUSSELL STREET  
POST OFFICE BOX 668  
RIDGELAND, SOUTH CAROLINA 29936

Ms. V. Claire Allen  
Deputy Clerk  
Post Office Box 11629  
Columbia, SC 29211

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