

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM GREENVILLE COUNTY
Court of Common Pleas

Leticia H. Verdin, Circuit Court Judge

Case No.: 2016-001158

Wendell Cooper

Appellant

v.

East Coast Granite & Tile Inc.

Respondent

MOTION TO SUPPLEMENT THE RECORD ON APPEAL

NOW COMES Respondent, East Coast Granite & Tile, Inc. by and through undersigned counsel, and moves this Court for permission to supplement the Record on Appeal. In support of this motion Respondent states as follows:

1. Appellant failed to include written Order issued by Judge Dean Ford, dated November 17, 2015, and attached hereto as Exhibit A.
2. Respondent wishes to supplement the Record on Appeal with this Order.
3. This Order is essential to just adjudication of this matter.

September 18, 2017



VICTORIA LAW FIRM, LLC

Victoria S. Karastanov

vk@victorialawsc.com

SC Bar # 101542

2890 Reidville Rd

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SEP 20 2017

SC Court of Appeals

State of South Carolina,)
)
 County of Greenville,)
)
 Wendell Cooper,)
)
 Appellant,)
)
 Vs.)
)
 East Coast Granite,)
)
 Respondent,)

Magistrate's Return
 2015-CP-23-06487

In Magistrates Court

FILED-CLERK OF COURT
 GREENVILLE CO. S.C.
 PAUL B. WICKENSIMMER
 2015 NOV 19 AM 11 21

The above came before this Court as a Summons and Complaint on September 29, 2015. The Appellant was Pro Se and the Respondent was represented by Victoria Karastanov. Appellant was seeking \$2273.66 in damages arising from a contractual deal with East Coast Granite.

This court heard testimony from the Appellant that on or about October 31, 2014 the Appellant met with East Coast Granite and picked out the granite to be installed at 117 Springs Way, in Simpsonville S.C. The work was to include three granite countertops to be installed at this location. Appellant further testified that on or about May 2015 he notified East Coast that he was ready for the fabrication and installation of the countertops. In June 2015 the countertops were delivered and the Appellant stated that that the wrong granite was brought to his house for installation and he declined installation.

Geoff Polin with East Coast Granite testified that the Appellant picked out the granite and the granite was marked and transported to the warehouse awaiting the word to fabricate the granite for installation. He further testified that the granite the Appellant picked out was called Girlo

Ornamental and the granite that was fabricated and delivered was the same piece that the Appellant picked out. Mr. Polin also stated that the granite the Appellant selected was made in daylight conditions and that in the home the granite would appear to be slightly different on shades and coloring.

Both parties agreed that the delivery and installation was delayed several times because of East Coast Granite and that text messages and phone calls were exchanged about the installation.

In conclusion to the case a contract was signed by the Appellant on October 31, 2014, stating that all sales were final and payments are non-refundable. The Appellant refused to have East Coast Granite install the countertops, he then purchased countertops from Blue Coral Stoneworks and had Verona Ornamental installed. This court ruled that East Coast Granite did fabricate and attempt to install the granite that the Appellant picked out fulfilling their part of the contract and that the purchased granite should be delivered to the Appellant within thirty days.

November 17, 2015

Respectfully Submitted


Judge Dean Ford

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Wendell Cooper

Appellant

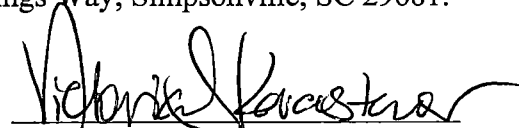
v.

East Coast Granite & Tile Inc.

Respondent

PROOF OF SERVICE

I certify that I have served the Respondent's Motion to Supplement the Record on Appeal on Wendell Cooper, Appellant, by depositing a copy of in the United States Mail, postage prepaid, on September 18, 2017, addressed to 117 Palm Springs Way, Simpsonville, SC 29681.



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SC Court of Appeals

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September 18, 2017

SEP 20 2017

Clerk of Court
P.O. Box 11629
Columbia, SC 29211

SC Court of Appeals

**RE: Case No.: 2016-001158
Motion to Supplement Record on Appeal**

Dear Clerk of Court,

Enclosed please our Motion to Supplement Record on Appeal, together with the Certificate of Service indicating that we mailed the same to Appellant on September 15, 2017. A check in amount of \$25.00 is also enclosed.

Should you have any questions or concerns, please do not hesitate to call our office at 864-707-2551.

Best regards,



Victoria S. Karastanov

Victoria Law Firm, LLC

Victoria S Karastanov

2890 Reidville Rd.
Spartanburg, SC 29301

GREENVILLE

SC 296

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P.O. Box 11629
Columbia, SC 29211

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SC Court of Appeals

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