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IN THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

APPEAL FROM SPARTANBURG COUNTY  
Court of Common Pleas

R. Keith Kelly, Circuit Court Judge

**RECEIVED**

JUN 08 2018

SC Court of Appeals

C.A. No. 2016-CP-42-1280  
Appellate Case No. 2017-001009

CAITLYN LANGHAM,..... Appellant,

v.

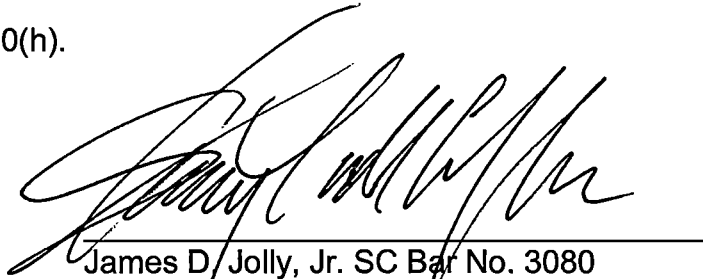
OFFICER RUSSELL PORTER,  
CITY OF SPARTANBURG POLICE DEPARTMENT,  
AND WAL-MART STORES, INC., ..... Respondents.

RESPONDENTS PORTER AND CITY OF SPARTANBURG  
POLICE DEPARTMENT'S OBJECTION TO AND  
MOTION TO STRIKE MATTERS FROM APPELLANT'S  
AMENDED FINAL BRIEF AND AMENDED FINAL REPLY BRIEF

Respondents Officer Russell Porter and the City of Spartanburg Police Department, through their undersigned attorneys, hereby object to the Appellant's Amended Final Brief and Amended Final Reply Brief, based on the reference to statements or alleged facts which do not appear in the Record on Appeal. Specifically, the Appellant continues to refer to and rely upon statements/ testimony contained in documents that were previously struck from the Record on

Appeal by the Court's Order dated March 8, 2018. The particular documents are referenced in the Respondent Wal-Mart, Inc.'s Motion to Strike Matters from Plaintiff's Designation of Matter, which was filed on October 9, 2017. These documents have been removed from the Record on Appeal, and although the Appellant's Amended Final Briefs have removed the citations to those documents (inserting references to the Appellant's previous Memos instead), the Briefs still rely upon information contained therein as support for the Appellant's argument.

As it is not proper for the Court to consider "any fact which does not appear in the Record on Appeal," the Respondents object to the Appellant's Amended Final Brief and Amended Final Reply Brief and make a motion to strike any reference to or argument supported by the documents previously removed from the Record. See SCACR 210(h).



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Anderson, South Carolina  
Date: June 5, 2018

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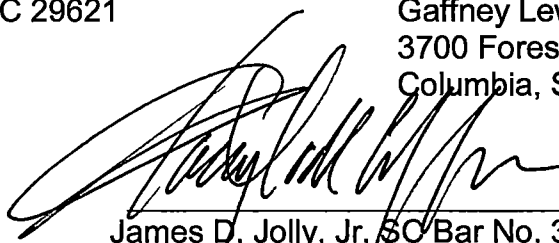
OFFICER RUSSELL PORTER,  
CITY OF SPARTANBURG POLICE DEPARTMENT,  
AND WAL-MART STORES, INC., ..... Respondents.

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of Respondents Porter and City of Spartanburg Police Department's Objection to and Motion to Strike Matters from Appellant's Amended Final Brief and Amended Final Reply Brief was served by first class mail, postage prepaid this 5th day of July 2018, upon the following:

Donald L. Smith  
122 N. Main St.  
Anderson, SC 29621

Lee Ellen Bagley  
Randi Lynn Roberts  
Gaffney Lewis & Edwards, LLC  
3700 Forest Drive, Suite 400  
Columbia, SC 29204



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Stacey Todd Coffee, Esquire  
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June 5, 2018

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**SC Court of Appeals**

Honorable Jenny Abbott Kitchings  
Clerk, South Carolina Court of Appeals  
1015 Sumter Street  
Columbia, SC 29201

Re: Caitlyn Langham v. Officer Russell Porter, City of Spartanburg,  
Police Department and Wal-Mart Stores, Inc.  
Case No. 2016-CP-42-1280  
Appellate Case No.: 2017-001009

Dear Ms. Kitchings:

Please find enclosed for filing an original and seven (7) copies of the Respondents Porter and City of Spartanburg Police Department's Objection to and Motion to Strike Matters from Appellant's Amended Final Brief and Amended Final Reply Brief in the above-referenced matter and a Certificate of Service in the above-referenced matter, as well as a check in the amount of \$25.00 for the filing fee. Please return a clocked in copy of the same to me in the enclosed self-addressed stamped envelope.

If you have any questions, please do not hesitate to contact me.

With kind regards, I remain,

Yours very truly,

Logan, Jolly & Smith, LLP

  
Stacey Todd Coffee

STC:hgc  
Enclosures

cc: Donald L. Smith, Esq.  
Randi Lynn Roberts, Esq.  
Lee Ellen Bagley, Esq.

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