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THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

APPEAL FROM KERSHAW COUNTY  
Court of Common Pleas  
William H. Seals, Jr., Circuit Court Judge

**RECEIVED**  
JUN 14 2018  
SC Court of Appeals

Civil Action No. 2016-CP-28-00583  
Appellate Case No. 2017-002514

James Teal,.....Appellant,

v.

Edwards Telecommunication, Inc. and Leroy Smith, Director of Dep't of Public Safety, Defendants,  
Of which Leroy Smith, Director of Dep't of Public Safety is the .....Respondent.

**RESPONDENT'S MOTION TO STRIKE AMENDED INITIAL BRIEF OF APPELLANT**

Respondent received, via hand delivery on June 12, 2018, yet another Amended Initial Brief of Appellant, filed with the Court on June 12, 2018. This is now the second or third amended brief filed by Appellant.

Appellant filed his Initial Brief on March 22, 2018. Appellant filed on April 19, 2018, a motion to amend the initial brief. (Motion to Amend #1) This Court had instructed Appellant to include, along with any motion, a complete, amended initial brief. Motion to Amend #1 did not include a complete, amended initial brief.

Respondent filed a return in opposition to Motion to Amend #1, and moved to dismiss the appeal on May 1, 2018.

In the meantime, Respondent moved forward and filed its Initial Brief and Designation of Matter on May 14, 2018.

No sooner had Respondent filed its Initial Brief than did Respondent receive Appellant's second motion to amend his initial brief (Motion to Amend #2). Motion to Amend #2 was filed on May 14, 2018. Motion to Amend #2 included an amended initial brief.

Respondent filed a return on May 18, 2018, asking that both motions to amend be denied.

Appellant filed a Reply Brief on or about May 29, 2018.

Appellant has now filed yet another Amended Initial Brief on June 12, 2018.

Respondent now moves to strike the most recent Amended Initial Brief of Appellant. Appellant has not filed a motion to amend along with the amended brief, and there is no rule or other authority cited by Appellant that would allow the Court to accept the amended initial brief.

At this point, if the Court does not dismiss this appeal in its entirety, the appeal should proceed based on the initial briefs filed by the respective parties on March 22, 2018 (Appellant's initial brief), May 14, 2018 (Respondent's initial brief), and May 29, 2018 (Appellant's reply brief).

Respondent respectfully requests that this Court issue its order striking the most recent Amended Initial Brief of Appellant, and denying Appellant's motions to amend so that this appeal can proceed to final briefing and consideration by the Court without any further delay.



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Columbia, South Carolina 29205  
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Attorney for Respondent Leroy Smith, Director of  
Dep't of Public Safety

June 14, 2018  
Columbia, South Carolina

THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

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Of which Leroy Smith, Director of Dep't of Public Safety is the .....Respondent.

**CERTIFICATE OF SERVICE**

I do hereby certify that I caused to be served the RESPONDENT'S MOTION TO STRIKE AMENDED INITIAL BRIEF OF APPELLANT upon the below-named party by depositing a copy of the same in the U.S. Mail, first class postage prepaid, and addressed as follows:

James Teal, *Pro Se*  
2832 Tee Pee Trail  
Elgin, South Carolina 29045-9758

  
Monique W. Trifos  
Paralegal

June 14, 2018  
Columbia, South Carolina

**South Carolina**

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RILEY  
POPE &  
LANEY  
\_\_\_\_\_  
LAW

June 14, 2018

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JUN 14 2018

SC Court of Appeals

**VIA HAND-DELIVERY**

The Honorable Jenny Abbott Kitchings  
Clerk of Court  
South Carolina Court of Appeals  
1220 Senate Street  
Columbia, South Carolina 29201

Re: James Teal, Appellant v. Edwards Telecommunication, Inc. and Leroy Smith, Director of Dep't of Public Safety, Defendants, Of which Leroy Smith, Director of Dep't of Public Safety is the Respondent

Civil Action No.: 2016-CP-28-00583

Appellate Case No.: 2017-002514

Our File No.: 5021.01117

Dear Ms. Kitchings:

Please find enclosed the original and six (6) copies of the Respondent's Motion to Strike Amended Initial Brief of Appellant with Certificate of Service in the above-referenced matter. I have also enclosed our firm's check in the amount of \$25.00 for the filing fee. Please file the enclosed documents and return a filed copy with my runner.

Please contact me if you have any questions or comments concerning this correspondence or any other matter.

Sincerely,

*Peter M. Balthazor by mwt*

Peter M. Balthazor

PMB/mwt

Enclosures

Cc: James Teal, *Pro Se (w/enclosures)*