

THE STATE OF SOUTH CAROLINA
In The Supreme Court of South Carolina

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APR 23 2019

APPEAL FROM CHESTER COUNTY
Court of Common Pleas

S.C. SUPREME COURT

Paul M. Burch, Circuit Court Judge

Appellate Case No. 2019-000508

Heather Rousey Piper, Plaintiff,

v.

Kerry Grissinger, William P. Hardee, and Paul E. Lesondak, Defendants,

Of Whom Kerry Grissinger and Paul E. Lesondak are the Appellants,

and Of Whom Heather Rousey Piper is the Respondent.

MOTION FOR DISMISSAL

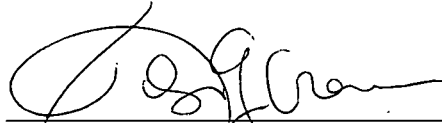
Pursuant to Rules 240 and 242, SCACR, the Respondent, through her undersigned attorneys, hereby moves this Court for an Order dismissing the Petition for Writ of Certiorari filed by Appellant-Petitioners dated March 24, 2019, as it fails to comply with the basic requirements of Rule 242(d), SCACR. The grounds for this Motion are as follow:

1. South Carolina Appellate Court Rule 242(d)(4) states that a petition for writ of certiorari shall contain, among other things, a “direct and concise argument in support of the petition” with a “citation of authority and specific reference to pertinent portions of the Record on Appeal”. The “[f]ailure of a petitioner to present with accuracy, brevity, and clarity the information and arguments that are essential to a ready and

adequate understanding of the points requiring consideration will be a sufficient reason for denying the petition.” Id.

2. Here, the Appellant-Petitioners have failed to present a direct or concise argument that provides any information as to the points for which they are requesting consideration.
3. Additionally, the Appellant-Petitioners fail to identify how the decision given by the Court of Appeals is in conflict with a prior decision of the Supreme Court, as required by Rule 242(b), SCACR.
4. Finally, the Appellant-Petitioners fail to include the Appendix as required by Rule 242(e), SCACR.

The Appellant-Petitioners have failed to comply with the requirements as set forth by Rule 242, SCACR, and as such, the Respondent requests that the Appellant-Petitioners Petition for Writ of Certiorari be dismissed.



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April 23, 2019

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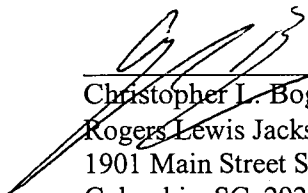
and Of Whom Heather Rousey Piper is the Respondent.

CERTIFICATE OF SERVICE

I certify that I have served the *RESPONDENT'S RETURN TO PETITIONERS' WRIT OF CERTIORARI* and *RESPONDENT'S MOTION FOR DISMISSAL* by depositing a copy of the same in United States Mail, postage prepaid, on April 23, 2019, to Appellants' Attorney of record and other parties, listed herein:

John Martin Foster
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