

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM GREENVILLE COUNTY
Court of Common Pleas

Alex Kinlaw, Jr., Circuit Court Judge

Case No. 2018-001600

Gregory T. Christian,

Appellant,

v.

Anna Healy,
Greenville Police Officer Andrew League,
City of Greenville, South Carolina,

Defendants,

Of whom Anna Healy is the Respondent.

APPELLANT'S RETURN TO MOTION TO REQUIRE
CORRECTION OF RECORD ON APPEAL

Gregory T. Christian/Appellant
15 Gallivan St.
Greenville, SC 29609
(864) 232-9966

RECEIVED
APR 24 2019
SC Court of Appeals

1. Respondent filed motion to require removal of the second copy of the Complaint from the Record on Appeal (R. pp. 15-18) on grounds 1) the document was not presented to the lower court per Rule 210, SCACR, and 2) the document was not designated by either party per Rule 209, SCACR. Pursuant to Rule 240(e), SCACR, Appellant opposes.
2. Respondent errs in claiming the second copy of the Complaint was not presented to the lower court. The second copy of the Complaint as reproduced in the Record on Appeal was downloaded from the lower court website. Appellant filed the second copy of the Complaint and mailed same by restricted delivery July 3. Appellant averred this in Response to Motion to Dismiss at #10 (R. p. 26, lines 1-7), and further averred this at hearing for dismissal (R. p. 73, lines 14-16). Respondent also referenced the document at the hearing (R. p. 69, lines 10-20), claiming it was delivered to an incorrect address.
3. Appellant references the second copy of the Complaint in Appellant's Brief (Argument I, p. 6), and additionally in Appellant's Reply Brief (Reply to Respondent Statement of the Case, p. 1, Reply to Respondent Argument 1, p. 2).
4. Respondent errs in paragraph 3 of the Motion in claiming "The Appellant describes himself as a rocket scientist". Appellant nowhere describes himself as a "rocket scientist". Appellant is in fact a suspected thief (Greenville Police Report #16000024859) (R. p. 40), an official designation Appellant never thought to see applied to himself, and in consequence has pointed to his former lack of criminal record and professional background as an aerospace engineer (Appeal p.3, paragraph 1), as previously disclosed under federal discovery.
5. Respondent additionally errs in paragraph 3 of the Motion in claiming Appellant's aerospace background precludes committing a legal oversight. This certainly is not true. As

Respondent has pointed out, Appellant failed to check the restricted delivery box in mailing the first service of process. Engineering is not the practice of law, most particularly in that it is not adversarial, and thus a proposed document is understood to be tentative until finalized, consistent with which Rule 210, SCACR, provides for a 20 day interval between service of the Record on Appeal upon the opposing party and service of 15 copies to the Court.

6. Appellant delivered the Record on Appeal to Respondent by hand April 1 and waited two weeks for a response before printing final copies and beginning update of final briefs immediately prior to leaving April 14 for an out of state funeral (see attached Exhibits A, B, and C). Had Respondent objected in a timely fashion to inclusion of the second copy of the Complaint in the Record on Appeal, the document could have been added to the Record on Appeal by supplement on motion per Rule 212(b) prior to final copying and submission, particularly as there appears no basis for objection to its inclusion.

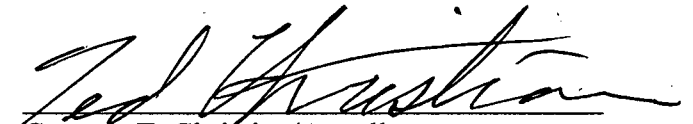
7. In the event, on April 12 Respondent filed Motion by Federal Express to the Court (Exhibit D) ten days before the deadline for filing the Record on Appeal, and served Appellant notice by regular mail (Exhibit E), which arrived sometime after April 14. Appellant returned April 18 to discover Respondent's Motion, leaving insufficient time to resolve the matter before the April 22 deadline for filing the Record on Appeal and final briefs, which are being submitted concurrent with this Return to Motion.

8. Appellant wishes to note Respondent clearly initiated events by taking the law into her own hands.

WHEREFORE, Appellant prays the Court deny Respondent's Motion to Require Correction of Record on Appeal, or alternatively that the second copy of the Complaint (R. pp. 15-18) be stricken from the Record on Appeal in lieu of removal by Appellant and pending Motion for leave to supplement the Record on Appeal pursuant to Rule 212(b), SCACR.

Respectfully submitted,

April 22, 2019


Gregory T. Christian/Appellant
15 Gullivan St.
Greenville, SC 29609

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CERTIFICATE OF SERVICE

I certify that on April 22, 2019 I served a copy of this APPELLANT'S RETURN TO MOTION TO REQUIRE CORRECTION OF RECORD ON APPEAL on Respondent Anna Healy's counsel of record, addressed as shown below:

Carl F. Muller
607 Pendleton St., Suite 201
Greenville, SC 29601


Gregory T. Christian/Appellant
15 Gullivan St.
Greenville, SC 29609

ST. FRANCIS EPISCOPAL CHURCH

3002 Miori Lane
Victoria, Texas 77901
(361)575-0441

Website: www.sfvct.org

Email: office@sfvct.org or

The Rev. Stephen W. Carson, Rector

Email: rector@sfvct.org

Mary Lynn McMichael, Music Director

Melanie Klotzman, Senior Warden

In Celebration of the Life
and Resurrection of

George Gilbert Chandler Pyle, Jr.

August 7, 1925—April 12, 2019

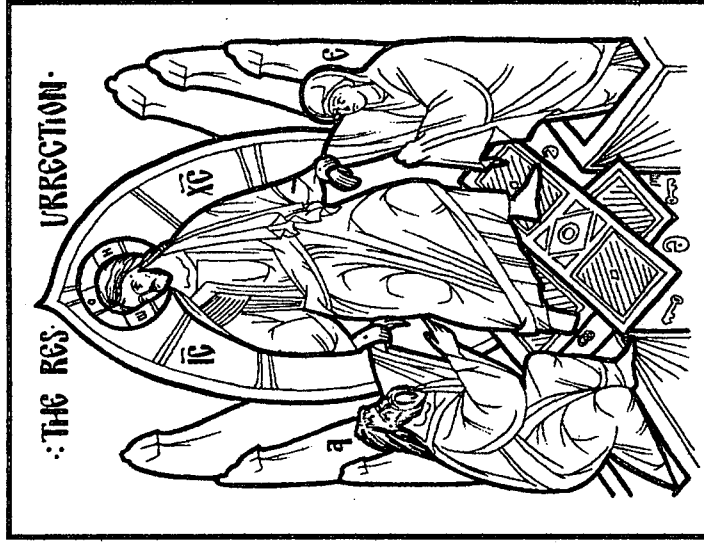


Exhibit A

ST. FRANCIS EPISCOPAL CHURCH

April 16, 2019

2:00PM

UNITED

CHRISTIAN/GREGORYTEDDY

AK626K 24C 14
UA 6379



Atlanta to Houston-Bush Intl

UA 6379

GATE

BOARDING BEGINS

SEAT

ATL-IAH

Not Yet Assigned

9:00 AM

24C

BOARDING GROUP 3

Monday, April 15, 2019

Boarding ends: 9:10 AM
Flight departs: 9:25 AM
Flight arrives: 10:43 AM

Aisle
Economy

Operated by Mesa Airlines dba United Express

Confirmation: **AK626K**
Ticket: 01673503345511

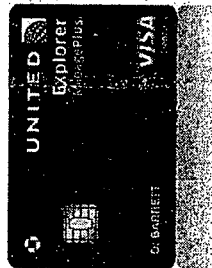
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Bag check must be completed no later than 45 minutes before departure. You must be at the boarding gate at least 15 minutes prior to departure. Failure to be at the boarding gate by the required time could result in the loss of your seat without compensation, regardless of whether you are already checked in or have a confirmed seat. Refer to United's Contract of Carriage at united.com for more information about United's terms and conditions.

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Break.....

Exhibit C

UNITED
CHRISTIAN/GREGORYTEDDY

AK626K 23C 55
UA 6172



Houston-Bush Intl to Atlanta

UA 6172

GATE

BOARDING BEGINS

SEAT

IAH-ATL

E11

6:10 PM

23C

BOARDING GROUP
3

Wednesday, April 17, 2019

Gate May Change

Boarding ends: 6:20 PM
Flight departs: 6:35 PM
Flight arrives: 9:38 PM

Aisle
Economy

Operated by Mesa Airlines dba United Express

Confirmation: **AK626K**

Ticket: 01673503345511

A STAR ALLIANCE MEMBER

Houston Intercontinental travel notice

Terminals A and D do not offer bag checking, agent assistance or self-service kiosks. Please visit Terminal B, C or E if you require any additional check-in services.

Bag check must be completed no later than 45 minutes before departure. You must be at the boarding gate at least 15 minutes prior to departure. Failure to be at the boarding gate by the required time could result in the loss of your seat without compensation, regardless of whether you are already checked in or have a confirmed seat. Refer to United's Contract of Carriage at united.com for more information about United's terms and conditions.



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MileagePlus: Miles accrued, awards and benefits issued are subject to the rules of the United MileagePlus program. For details, see united.com.

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Exhibit D

CARL F. MULLER, ATTORNEY AT LAW, P.A.

607 PENDLETON STREET, SUITE 201
GREENVILLE, SOUTH CAROLINA 29601

POST OFFICE BOX 1717
GREENVILLE, SOUTH CAROLINA 29602-1717

PHONE: 864-991-8904

FAX: 864-751-2831

CARL@CARLMULLERLAW.COM

April 12, 2019

VIA FEDERAL EXPRESS

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

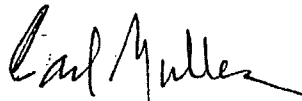
Re: Gregory T. Christian v. Anna Healy
Appellate Case No.: 2018-001600

Dear Ms. Kitchings:

Enclosed please find the original and six (6) copies of my Motion of Respondent To Require Correction of Record on Appeal. My check in the amount of \$50.00 is included.

I discussed the Motion earlier today with Elizabeth Carter. Please convey my thanks to her.

Very truly yours,



Carl F. Muller

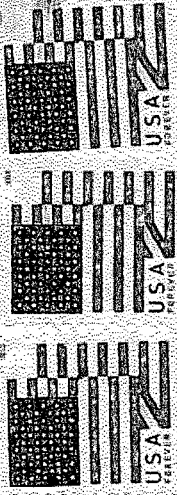
CFM:dph

c: Mr. Gregory T. Christian

Enclosure

Exhibit E

CARL F. MULLER, ATTORNEY AT LAW, P.A.
Post Office Box 1717
GREENVILLE, SOUTH CAROLINA 29602-1717



Mr. Gregory T. Christian
15 Gallivan Street
Greenville, SC 29609

