



ALAN WILSON  
ATTORNEY GENERAL

June 19, 2019

**RECEIVED**  
JUN 19 2019  
SC Court of Appeals

The Honorable Jenny Abbott Kitchings  
Clerk, South Carolina Court of Appeals  
HAND DELIVERY

Re: Bauknight v. Pope, Appellate Case No. 2018-002229  
Response to Reply re Appellant's Motion to Strike

Dear Ms. Kitchings:

I respectfully request that this Court accept this brief response to Appellant's Reply to the Attorney General's response to her Motion to Strike his initial Respondent's brief. Because Appellant's Reply misunderstands the Attorney General's earlier Return and the scope of the Appellate Court rules, we respectfully request that the Court consider the following:

1. Appellant incorrectly states that the "Attorney General poses little or no objection to the Court's striking the initial briefs. Instead, the Return of the Attorney General said "Appellant's Motion to Strike the Attorney General's Initial Brief and his Motion to Strike her brief and designation fails to identify any parts of the Brief or Motion that are contrary to the Appellate Court rules" and expressly stated that her Motion to Strike "should be denied." The Attorney General's initial brief simply incorporated by reference the brief prepared by Sweeny Wingate and Barrow as permitted by the Appellate Court rules.

2. Appellant says that her 20 page affidavit and 141 pages of attachments are permissible for her Motion under Rule 240(c)(3) because no record on appeal has been compiled. That Rule does not authorize her to argue matters not presented to the Circuit Court in this case before the Notice of Appeal was filed. She continues to do so in her Reply and in her nearly 50 page Appendix thereto in arguing about and presenting documents in matters occurring after this appeal was taken as well as arguing about matters before then in other cases. Her Appendix consists of documents filed in 2019 in another case which are not properly before this Court on appeal.

3. Appellant asserts that she can argue that the SWB firm cannot act for the Attorney General even though that issue is the subject of a separate appeal in case 2017-1899. She is not permitted to bring up new issues in the instant appeal nor may she rely on her characterizations of documents in other cases. *See* item 2, above.

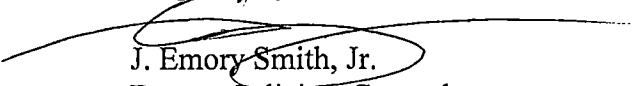
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Appellant's filings continue to be contrary to the Appellate Court rules. Her Motion to Strike should be denied. Should the Court prefer a more formal filing, please let me know.

By copy of this letter, I am serving counsel for the other parties by mail.

Thank you for your consideration of this matter.

Respectfully submitted,



J. Emory Smith, Jr.  
Deputy Solicitor General  
Counsel for the Attorney General

cc: Charles E. Carpenter, Jr., Esquire  
Adam T. Silvernail, Esquire  
Daryl L. Williams, Esquire  
Kenneth B. Wingate, Esquire

Mark V. Gende, Esquire  
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