

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM YORK COUNTY
Court of Common Pleas
Case No. 2015-CP-46-03179

JOHN C. HAYES, III, Circuit Court Judge

Appellate Case No. 2016-002488

RECEIVED

JUL 30 2019

City of Rock Hill,

Respondent,

SC Court of Appeals

v.

Triando M. Stroud,

Appellant.

RESPONDENT'S MOTION TO DISMISS THE APPEAL

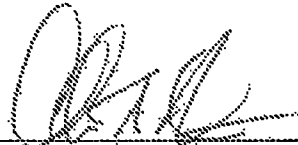
Now comes the Respondent, the City of Rock Hill, by and through the undersigned counsel, who respectfully requests and moves this Court to dismiss this appeal based on Appellant's failure to timely file the record on appeal.

Appellant was supposed to file the record on appeal on May 28, 2019. Appellant's request for an extension to file the record on appeal was filed with the Clerk for the Court of Appeals on June 26, 2019 almost a month after the record on appeal was due. Appellant's request for an extension to file the record on appeal was granted and Appellant was given a new deadline of July 26, 2019 to file the record on appeal.

Appellant has not filed the record on appeal and today (July 29, 2019) Appellant served Respondent with a copy of his initial brief and designation of matter. Appellant has failed to file the proper record on appeal and the Respondent requests that this appeal be dismissed.

Respondent submits that Appellant has been provided with adequate time to file the record on appeal and respectfully requests the case be dismissed pursuant to order from this Court dated July 8, 2019 and the multiple previous orders of this Court warning Appellant that his failure to timely file the appropriate documents could result in dismissal of the appeal.

July 29, 2019



Christopher E. A. Barton
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Rock Hill, South Carolina 29730
(803) 329-5692
SC Bar No: 65261
Attorney for Respondent

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CERTIFICATE OF SERVICE

The undersigned certifies that a copy of Respondent's Motion to Dismiss the Appeal has been served upon the Appellant by mailing a copy via regular U.S. Mail to him on the 29 day of July, 2019, to Triando M. Stroud 4715 Forest Ridge Commons Drive, Charlotte, NC 28269.



Christopher E. A. Barton
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ATTORNEY FOR RESPONDENT

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SC Court of Appeals

July 29, 2019

The Honorable Jenny Abbott Kitchings
Clerk, South Carolina Court of Appeals
Post Office Box 11629
Columbia, South Carolina 29211

RE: City of Rock Hill, Respondent v. Triando M. Stroud, Appellant
Case No. 2016-002488

Dear Ms. Kitchings:

Enclosed please find Respondent's Motion to Dismiss the Appeal and Certificate of Service in the above-referenced case.

Truly yours,

Christopher E. A. Barton
201 E. Main Street, 3rd Floor
Rock Hill, South Carolina 29730
(803) 329-5692
Attorney for Respondent

cc: Triando Stroud
4715 Forest Ridge Commons Drive
Charlotte, NC 28269