



# The South Carolina Court of Appeals

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POST OFFICE BOX 11629  
COLUMBIA, SOUTH CAROLINA 29211  
1220 SENATE STREET  
COLUMBIA, SOUTH CAROLINA 29201  
TELEPHONE: (803) 734-1890  
FAX: (803) 734-1839  
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April 06, 2021

The Honorable Melissa C. Burton  
PO Box 678  
Walhalla SC 29691-0678

## **REMITTITUR**

Re: June White v. Marilyn Green  
Lower Court Case No. 2016CP3700344  
Appellate Case No. 2018-000984

Dear Clerk of Court:

The above referenced matter is hereby remitted to the lower court or tribunal. A copy of the judgment of this Court is enclosed.

Very truly yours,

*V. Claire Allen*

CLERK

Enclosure

cc: Roberta Elizabeth Barton, Esquire  
June H. White  
William H. White  
James Edward Walker

**THIS OPINION HAS NO PRECEDENTIAL VALUE. IT SHOULD NOT BE  
CITED OR RELIED ON AS PRECEDENT IN ANY PROCEEDING  
EXCEPT AS PROVIDED BY RULE 268(d)(2), SCACR.**

**THE STATE OF SOUTH CAROLINA  
In The Court of Appeals**

June H. White, as Operating Member of Chauga Creek  
Retreat, Respondent,

v.

Marilyn Green, Appellant,

June White, Individually and as Owner/Operator of  
Mountain Rest Campground, William H. White,  
Individually and as Owner/Operator of Hilltop Bike Park,  
James Edward (Ed) Walker, Respondents.

Appellate Case No. 2018-000984

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Appeal From Oconee County  
Perry H. Gravely, Circuit Court Judge

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Unpublished Opinion No. 2021-UP-083  
Submitted February 1, 2021 – Filed March 17, 2021

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**AFFIRMED**

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Roberta Elizabeth Barton, of Roberta Barton Law, Ltd.  
Co., of Seneca, for Appellant.

June White, of Mountain Rest, pro se.

William H. White, of Sarasota, Florida, pro se.

James Edward Walker, of Mountain Rest, pro se.

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**PER CURIAM:** Marilyn Green appeals the trial court's order finding an easement existed on her property. On appeal, Green argues the trial court erred by (1) treating two easements as one easement, (2) finding Green had constructive knowledge of the easement, and (3) failing to address the issues surrounding the boundary line dispute. We affirm.

Green has failed to provide this court with a sufficient record from which it could conduct an intelligent review. *See Hamilton v. Greyhound Lines E.*, 281 S.C. 442, 444, 316 S.E.2d 368, 369 (1984) ("The appealing party has the burden of furnishing a sufficient record from which this court can make an intelligent review."). Green only provided this court with sixteen pages of the trial transcript, which is at least eighty-two pages long. Although an appellant is not required to furnish a full trial transcript to this court, in this instance, the nonsequential pages have resulted in disjointed testimony wherein this court is unable to decipher which of the witnesses is testifying or which of the exhibits are being discussed in the testimony on the few pages provided. Furthermore, the reproduced copies of the exhibits in the record are illegible. This court sent a deficiency letter on March 21, 2019, noting the "[i]mages of reproduced documents [in the record on appeal] beginning with page 50 are not legible. These documents will need to be resubmitted in a format that is legible and complies with the requirements of Rule 267, SCACR." Green never responded or corrected the deficiency. Because the limited testimony provided is disjointed, it does not identify who is testifying, and the exhibits are not legible, Green has failed to provide this court with a sufficient record upon which it could conduct an intelligent review. Therefore, we decline to address the merits of Green's issues and affirm the trial court's order.

**AFFIRMED.**<sup>1</sup>

**LOCKEMY, C.J., and HUFF and HEWITT, JJ., concur.**

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<sup>1</sup> We decide this case without oral argument pursuant to Rule 215, SCACR.