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APR 15 2021

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM NEWBERRY COUNTY
Court of Common Pleas

Grace Gilchrist Knie, Circuit Court Judge

Appellate Case No. 2020-000458
Civil Action No. 2017-CP-36-00214

James L. Braswell, Sr., Respondent – Appellant,

v.

James F. Amick, Appellant - Respondent.

MOTION TO CORRECT RECORD ON APPEAL AND EXTENSION OF TIME FOR FILING
OF RESPONDENT-APPELLANT’S FINAL BRIEF

Upon examination of the Record on Appeal, it was determined that two (2) pages of trial transcript was omitted from the record., specifically pages 397 and 398. These pages were included in the Respondent-Appellant’s Designation of Matter that was filed with the Court. Copies of the omitted pages are attached to this Motion. The undersigned hereby requests that an Order be issued requiring the Record on Appeal to be corrected to include the omitted trial transcript. In addition, the undersigned requests an extension of time to file the Respondent-Appellant’s Final Brief so the corrected Record on Appeal can be referenced in the Final Brief of

the Respondent-Appellant. The undersigned hereby requests a Twenty (20) day extension to file Respondent-Appellant's Final Brief upon receipt of the corrected Record on Appeal.

s/Jennifer Dowd Nichols
Jennifer Dowd Nichols, SC Bar #75916
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April 1, 2021

Attorney for the Respondent-Appellant

1 hostile?

2 A Between--

3 Q Mr. Amick and Mr. Braswell?

4 A Yes, sir. And also toward me, yes sir.

5 Q Thank you, Ms. Amick. Answer any questions that Mr.
6 Dibble has. Just so that the record is clear, when we are
7 talking about, we are talking about 2011 to present?

8 A Yes sir, we are.

9 Q Thank you.

10 THE COURT: Mr. Dibble, any cross-examination?

11 MR. DIBBLE: Yes, ma'am.

12 CROSS-EXAMINATION

13 By Mr. Dibble:

14 Q Ms. Amick, I am Bob Dibble, we met a year ago or so.

15 A Yes, sir.

16 Q You testified this morning that Mr. Amick, you
17 observed Mr. Amick object to Mr. Braswell's use of the
18 road across his property, is that correct?

19 A Yes, sir.

20 Q In spite of those objections Mr. Braswell continued
21 to use the road to access his property?

22 A He did, yes sir.

23 Q And despite your objections Mr. Braswell continued to
24 use the road to access his property?

25 A He did, yes sir.

1 Q And he accessed his property with trucks, is that
2 correct?

3 A Not only trucks, there were other people. There were
4 people, we actually had one that had a fishing boat in the
5 back of their truck that came out and we have had men and
6 women, older men and women, several people have come
7 across our property.

8 Q So, those are invitees of Mr. Braswell?

9 A I assume, I don't know, I am assuming.

10 Q And they would come across the property and access
11 Mr. Braswell's property?

12 A Yes, sir.

13 Q You observed that?

14 A Yes, sir.

15 Q Between 2011--

16 A Yes sir, 2011, yes sir.

17 Q And you also observed Mr. Braswell having some farm
18 equipment coming down?

19 A I did, yes sir.

20 Q And did you see a combine coming down the road?

21 A I have been told that is what it was, I don't know
22 but I have been told that is what it is.

23 Q You saw a piece of equipment and somebody told you it
24 was a combine?

25 A Yes, sir. I don't know, yes sir, I have been told it

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PROOF OF SERVICE

I certify that I have served the Respondent-Appellant's Motion to Correct the Record on Appeal and Extension of Time by depositing a copy of it in the United States Mail, postage prepaid, on April 14, 2021, addressed to the Appellant-Respondent's attorneys of record, Karl S. Brehmer at PO Box 7966, Columbia, South Carolina 2922 and James D. Floyd at PO Box 7966, Columbia, South Carolina 29202.

April 14, 2021


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Jennifer Dowd Nichols, Esquire

Samuel M. Price, Jr., Esquire

April 14, 2021

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

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SC Court of Appeals

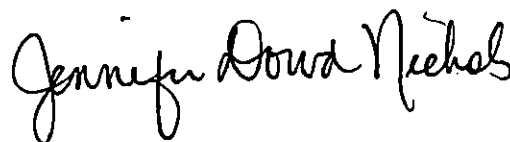
RE: The Southern Methodist Church; Eastern Annual Conference of the Southern Methodist Church vs. Providence Southern Methodist Church; et al.
Docket Number: 2021CP4300178

Dear Mrs. Kitchings:

Please find enclosed a check for the filing fee for the Motion to Correct the Record on Appeal and Extension of Time that was e-filed on April 1, 2021.

I have also enclosed the original and one (1) copy of the Proof of Delivery of said motion on Mr. Brehmer and Mr. Floyd. If you require any additional information, please let me know.

Sincerely,



Jennifer Dowd Nichols

Enclosures

Insert shipping document here.

ORIGIN: USCA (803) 275-0706
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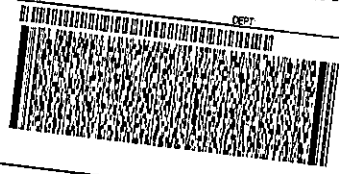
TO THE HONORABLE JENNY ABBOTT KELLY
SC COURT OF APPEALS
1220 SENATE STREET

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APR 19 2021

COLUMBIA SC 29201
(803) 734-1850
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SC Court of Appeals



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