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Apr 27 2021

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM YORK COUNTY

Teasa K. Weaver, Master in Equity

Appellate Case No. 2020-001023

Mark Giles Pafford,

Appellant,

v.

Robert Wayne Duncan, Jr.,
Robert Duncan, Sr., and Frank Eason,
d/b/a "Rock City Heavy Hauling, Inc."
of whom

Robert Wayne Duncan, Jr. and
Robert Duncan, Sr. are the

Respondents.

**MOTION TO CORRECT DEFICIENCIES IN RECORD ON APPEAL AND
EXTENSION OF TIME FOR RESPONDENTS TO FILE FINAL BRIEF**

The Respondents' move before this Court for an Order requiring the Appellant to correct the deficiencies in the Record on Appeal and also to grant the Respondents' an extension of time to file their Final Brief.

The Appellant has prepared a five (5) volume Record on Appeal in this matter. Upon preparing their Final Brief, the Respondents' have become aware of several deficiencies in the

Record on Appeal that has prevented them from being able to properly prepare their final brief.

The Respondent's Final Brief is due on April 29, 2021. The deficiencies in the Record on

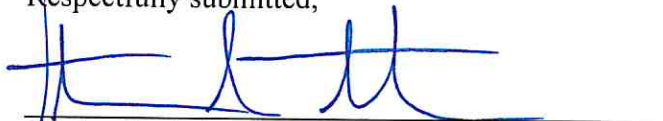
Appeal that have been observed by Respondents are as follows:

1. Missing pages: 917-918, 921-924, 887-891. These documents represent pages of the transcript as well as all the Exhibits of Respondents. These documents were contained in the Designation of Matter and are also reflected on Appellant's Record on Appeal Index.
2. The documents contained on Pages 484-489 do not relate to this matter. They are from a criminal proceeding in 2015 and neither the Appellant nor the Respondents were parties in that action. These documents are not reflected in the Designation of Matter or on Appellant's Record on Appeal Index.

Respondents respectfully request that this Court issue an Order requiring the Appellant to correct the deficiencies contained in the Record on Appeal as well as redact the documents that are irrelevant to this Appeal.

Respondents further respectfully request an extension of time to file their Final Brief as their brief is currently due on April 29, 2021 and they are unable to comply with this deadline due to the deficiencies in the Record on Appeal.

Respectfully submitted,



Stephen D. Schusterman
SCHUSTERMAN LAW FIRM, PA
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Rock Hill, South Carolina 29732
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Email: sdslaw@comporium.net
Attorney for Respondents

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Mark Giles Pafford.....Appellant.

v.

Robert Wayne Duncan, Jr., Robert Duncan Sr., and Frank Eason, d/b/a "Rock City Heavy Hauling, Inc." of whom Robert Wayne Duncan, Jr. And Robert Duncan, Sr. are
.....Respondents.

CERTIFICATE OF SERVICE

I certify that I have served the Motion to Correct Deficiencies in Record On Appeal and Extension of Time for Respondents to File Final Brief by depositing it by regular mail, postage prepaid, on April 27, 2021, addressed to the attorney of record, John Martin Foster, Esq., Post Office Box 106, Rock Hill, South Carolina 29731.

STEPHEN D. SCHUSTERMAN
Post Office Box 4211
Rock Hill, South Carolina 29732
(803) 325-7788
ATTORNEY FOR RESPONDENTS
sdslaw@comporium.net
SC Bar No.: 11979

April 27, 2021.

SCHUSTERMAN LAW FIRM, P.A.

Attorney at Law

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STEPHEN D. SCHUSTERMAN

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SC Court of Appeals

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

Re: Mark Giles Pafford v. Robert Wayne Duncan, Jr., et al
Appellate Case No.: 2020-001023

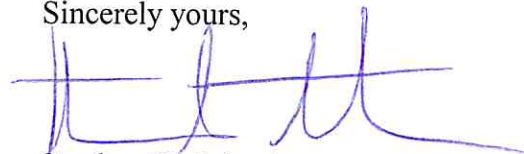
Dear Ms. Kitchings:

Enclosed please find an original and 6 copies of Respondent's Motion to Correct Deficiencies in Record on Appeal and Extension of Time for Respondents to file Final Brief along with a check for \$50.00 and a Certificate of Service on the above referenced case.

Thank you for your attention to this matter.

With best regards, I am

Sincerely yours,



Stephen D. Schusterman

Enclosure
SDS/as

cc: Mr. John Martin Foster
Mr. Robert Duncan, Jr.
Mr Robert Duncan, Sr.