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May 19 2021

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM DORCHESTER COUNTY
Court of Common Pleas

Hon. James E. Chellis, Master-In-Equity

Appellate Case No. 2020-001127

1st Franklin Financial
Corporation

Respondent,

v.

Roby A. Adams

Appellant.

MOTION TO AMEND RECORD ON APPEAL

John R. Cantrell, Jr., SC Bar # 10309
Cantrell Legal, PC
108 Phillips Ct.
St. Matthews, SC 29135-8582
(843) 797-2454
lawyer@comcast.net
Attorney for Appellant

On April 29, 2021, Appellant filed the Record on Appeal in this case. However, upon preparing to provide a bound copy to the court, which is due to be filed today, Appellant's counsel noticed that there is a typographical error on the Index page of this document. In particular, on the Index page, under the line that reads "Appellant's Rule 59 Motion filed May 1, 2020," there is an entry that reads "Ex.-Appellant's proposed MSJ order." However, that line should read "Ex.-Respondent's proposed MSJ order," since that proposed order was actually prepared by Respondent. Appellant therefore requests court permission to amend the Record on Appeal to make that change to the Index page to correct that typographical error. Counsel for Respondent consents to the relief requested in this motion.

WHEREFORE, Appellant respectfully requests that the court take the following actions:

- A. Allow Appellant to file an amended Record on Appeal to make the change indicated above, and
- B. For such other relief as may seem appropriate to the court.

Dated this May 19, 2021

/s/ John R. Cantrell, Jr.
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PROOF OF SERVICE

I certify that I have served a copy of the Motion to Amend Record on Appeal on all parties of record by emailing it today to Respondent's attorneys of record Robert C. Osborne III at his email address of robertosborne@parkerpoe.com and Robert H. Jordan at his email address of robertjordan@parkerpoe.com.

Dated this May 19, 2021

/s/ John R. Cantrell, Jr.
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The Honorable Jenny Abbott Kitchings
Clerk, South Carolina Court of Appeals
Post Office Box 11629
Columbia, South Carolina 29211

RE: 1st Franklin Financial Corporation v. Roby A. Adams
Appellate Case No. 2020-001127

Dear Miss Kitchings:

Enclosed for filing via email only is Appellant's Motion to Amend Record on Appeal with a Certificate of Service. A copy of this cover letter is also being sent by regular mail to the court only, along with a firm check in the amount of \$50.00 for the motion filing fee.

/s/ John R. Cantrell, Jr.
John R. Cantrell, Jr.
Cantrell Legal, PC
108 Phillips Ct.
St. Matthews, SC 29135-8582
(843) 797-2454
Attorney for Appellant

cc : Robert C. Osborne III and Robert H. Jordan via email only