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JUN 08 2021

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM HORRY COUNTY
Court of Common Pleas
The Honorable Cynthia Graham Howe, Master in Equity

Case No. 2018-CP-26-05361
Appellate Case No. 2021-000039

South Carolina Electric & Gas CompanyRespondent,

v.

Wendell Norris.....Appellant.

RESPONDENT’S MOTION TO STRIKE “FINAL BRIEF OF APPELLANT”

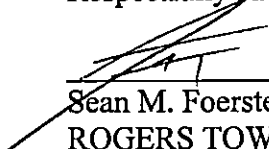
Respondent South Carolina Electric & Gas Company n/k/a Dominion Energy South Carolina, Inc. (“DESC”) hereby respectfully moves the Court for an Order striking the “Final Brief of Appellant” dated June 1, 2021, and served by Appellant Wendell Norris (“Norris”) on DESC on the following grounds:

1. The brief does not comply with Rule 211(b), SCACR, because its substance is not at all identical to Norris’s Initial Brief of the Appellant filed herein on March 22, 2021, and it does not satisfy the content requirements of Rule 208(b)(1), SCACR. It is a completely different brief that offers only a rebuttal to the Statement of the Case set forth in DESC’s Initial Brief of the Respondent filed on April 19, 2021;
2. To the extent that Norris intended for this brief to be an Initial Reply Brief, it is untimely under Rule 208(a)(3), SCACR, because Norris served this brief more than 10 days after service of DESC’s Initial Brief of the Respondent; and

3. Final Briefs pursuant to Rule 211, SCACR, are premature at this time because Norris failed to file and serve a Record on Appeal.

WHEREFORE, DESC respectfully requests an Order of the Court striking Norris's "Final Brief of Appellant" dated June 1, 2021.

Respectfully submitted,



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Attorneys for Respondent South Carolina Electric &
Gas Company n/k/a Dominion Energy South
Carolina, Inc.

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South Carolina Electric & Gas CompanyRespondent,

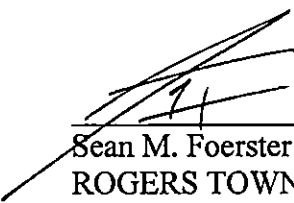
v.

Wendell Norris.....Appellant.

PROOF OF SERVICE

I HEREBY CERTIFY that I have served the Motion to Strike "Final Brief of Appellant" on June 8, 2021, by depositing a copy in the United States Mail, postage pre-paid, addressed to the following party of record:

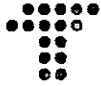
Wendell Norris
Post Office Box 505
Conway, South Carolina 29528


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ROGERS TOWNSEND
ATTORNEYS AT LAW

June 8, 2021

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VIA HAND DELIVERY

The Honorable Jenny Abbott Kitchings
Clerk of Court for the South Carolina Court of Appeals
1015 Sumter Street
Columbia, South Carolina 29201

RE: *South Carolina Electric & Gas Company v. Wendell Norris*
Appellate Case No. 2021-000039
Our file # 22053.333

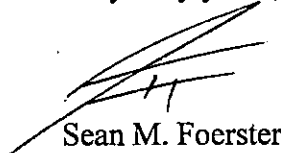
Dear Ms. Kitchings:

Enclosed are the original and seven copies of Respondent's Motion to Strike "Final Brief of Appellant" and a Proof of Service in reference to the above matter, along with a check in the amount of \$50.00.

By copy of this correspondence, I am serving a copy of this motion on the Appellant.

At your convenience, please return a filed copy of this document to me in the enclosed prepaid envelope.

Very truly yours,



Sean M. Foerster

/ow
Enclosures

cc:
Wendell Norris
Post Office Box 505
Conway, South Carolina 29528