

The South Carolina Court of Appeals

Charles Waymon Murphy, Appellant,

v.

Lori Ann Niverson; Starr Distributing, LLC, Defendants,

Of Which Starr Distributing, LLC, is the Respondent,

AND

Starr Distributing, LLC, Third-Party Plaintiff,

v.

Arthur C. Niverson, Respondent.

Appellate Case No. 2021-000301

ORDER

After careful consideration, the motion to strike is granted. The Transcript of Charles A. Starr deposition and Invoices #1196, #1762, and #1790 shall not be included in the record on appeal and shall not be referenced in Respondent's brief. Respondent's initial brief is stricken, and within twenty days of the date of this order, Respondent shall serve and file an amended initial brief that omits citations to the stricken matter. *See* Rule 210(c), SCACR ("The Record shall not, however, include matter which was not presented to the lower court or tribunal.").

Columbia, South Carolina


FOR THE COURT

FILED
Nov 02 2021

cc:

Kathleen Chewning Barnes, Esquire

Ernest Mitchell Griffith, Esquire

Ian S. Ford, Esquire

Kelly Dennis Dean, Esquire