

**PMPED**  
PETERS | MURDAUGH | PARKER | ELTZROTH | DETRICK  
**ATTORNEYS AT LAW**

November 4, 2021

**John E. Parker**  
Direct Dial: (803) 914-2004  
Email: [jparker@pmped.com](mailto:jparker@pmped.com)  
Paralegal: [mdavis@pmped.com](mailto:mdavis@pmped.com)

**Via Email Only**

Richard McLawhorn, Esquire  
Martin Driggers, Esquire  
Sweeny, Wingate, & Barrow, P.A.  
Post Office Box 12129  
Columbia, SC 29211

**RECEIVED**

**Nov 10 2021**

**S.C. SUPREME COURT**

**Re: *Glenn Odom v. McBee Municipal Election Commission***  
***Civil Action No.: 2020-CP-13-00732***  
***Case No.: 2021-000165***

Dear Counsel:

In reviewing the Record on Appeal filed October 21, 2021, we have noted that Appellants have included documents in the Record that were not previously designated and have also omitted documents Respondent designated to be included in the Record on Appeal.

As you are aware, Rule 209(b), SCACR, provides that “the Designation may only propose to include portions of the transcript, pleadings, orders, exhibits, or other materials which may be properly included in the Record on Appeal [See Rule 210(c)].” Rule 210(c), SCACR, then provides that “[t]he Record shall not ... include matter which was not presented to the lower court or tribunal.”

The Record on Appeal contains Odom’s Initial Brief, Motion to Dismiss Appeal dated March 1, 2021, and Memorandum in Support of Respondents’ Motion to Dismiss dated March 1, 2021. These items were not designated for inclusion in the Record. Odom’s initial brief was not presented to the lower court and is not part of the trial court record and thus cannot be included in the appellate record.

Respondent also designated the following items to be included in the Record and upon our review, I do not believe they were included:

1. Glenn Odom’s Summons and Complaint for Writ of Mandamus and Writ of Prohibition dated October 30, 2020;
2. Odom’s Motion to Dismiss before the McBee Election Commission dated September 30, 2020;

3. Defendant Short, Sutton, and Dixon's Memorandum in Opposition to Odom's Writs of Mandamus and Prohibition dated November 13, 2020; and
4. Order denying Odom's request for Writ of Mandamus and Writ of Prohibition dated November 13, 2020.

If I am mistaken or have overlooked the above documents that I believe to be missing, please let me know.

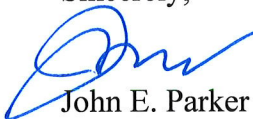
Please confirm that you are amending the Record on Appeal to remove Odom's Initial Brief, Motion to Dismiss Appeal dated March 1, 2021, and Memorandum in Support of Respondents' Motion to Dismiss dated March 1, 2021, and supplement items 1-4 that were previously designated by Respondent for inclusion in the Record.

I would like to get these issues resolved as soon as possible and avoid having to file a motion to strike the items.

If you have any questions or wish to discuss this further, please let me know.

With kind regards, I am

Sincerely,



John E. Parker

JEP/mcd

cc: Karl S. Bowers, Jr., Esquire  
Robert E. Tyson, Jr., Esquire  
Vordman Carlisle Traywick, III, Esquire  
Wallace H. "Jay" Jordan, Jr., Esquire