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SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM RICHLAND COUNTY
Court of Common Pleas

Casey Manning, Circuit Court Judge

Common Pleas Court Case No.: 2017-CP-40-6773
Appellate Case No. 2021-00502

Nancy Morris, as Personal Representative of the
Estate of David Allan Woods..... Appellant

v.

State Fiscal Accountability Authority, South Carolina Insurance
Reserve Fund, Andrew J. Bland, Richard T. Burkholder,
Leemon E. Carner, Priscilla Bland, Jerry Speissegger, Jr. Respondents

Of Whom Nancy Morris, as Assignee of Andrew J. Bland, PFC;
Richard T. Burkholder, SGT: Leemon E. Carner, PFC;
Priscilla Garrett Bland, PFC; and Jerry Speissegger, Jr., PFC, is the Appellant

and

South Carolina Insurance Reserve Fund is the Respondent

**CONSENT MOTION TO AMEND
APPELLANT’S DESIGNATION OF MATTER**

The Appellant Nancy Morris and the Respondent South Carolina Insurance Reserve Fund jointly move this Court for an Order granting leave of court to allow for the filing of an Amended Appellant’s Designation of Matter to be Included in the Record, which was initially served on July 1, 2021. Appellant included materials in her Designation that were not filed with the trial court,

specifically the following:

U.S. District Court Order Granting Stay of Execution (3/23/15)
Opinion of Fourth Circuit affirming District Court (11/06/2016)
Notice of Appeal by Assignors to Fourth Circuit Court of Appeals (1/30/15)
Defendant's Responses to Plaintiff's Discovery Requests
Complaint filed 1/23/15 in declaratory judgment action
Defendant's Memorandum in Opposition to Plaintiff's MSJ (2/17/16)

After consultation with counsel for Respondent, counsel for Appellant has agreed to withdraw these materials from the Designation, and seeks permission to file an Amended Designation that will reflect those omissions. The parties believe that this is the proper course of action required by Rules 209(b) and 210(c), SCACR. Likewise, Appellant seeks permission to file an Amended Appellant's Brief to remove reference to and citations to those documents removed.

Based on the foregoing, the parties respectfully request by consent that this Court order the following:

1. Appellant is granted leave of court to allow for the filing of an Amended Designation of Matter to be Included in the Record removing certain materials that were not submitted to the trial court; and
2. Appellant is granted leave of court to allow for the filing of an Amended Initial Brief removing citations to those materials.

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