From:	Court Of Appeals Filings
To:	Joe Clemons; Court Of Appeals Filings
Cc:	Kori A. McGraw; Charles Norris
Subject:	RE: Joe Clemons v. Peggy H. Pinnell Agency, Inc. Appellate Case No. 2021-001183 Issues with Record on Appeal
Date:	Tuesday, May 3, 2022 4:58:20 PM
Attachments:	TC Clemons v. Pinnell - Deficiency.pdf TC Clemons v. Pinnell - Letter 2.pdf TC Clemons v. Pinnell - Letter.pdf

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Good Afternoon:

Please see attached correspondence from the Court of Appeals.

Thank you.

From: Joe Clemons <clemonswelding1@gmail.com>
Sent: Tuesday, May 3, 2022 1:57 PM
To: Court Of Appeals Filings <ctappfilings@sccourts.org>
Cc: Kori A. McGraw <kori@whelanmellen.com>; Charles Norris <charles@whelanmellen.com>
Subject: Re: Joe Clemons v. Peggy H. Pinnell Agency, Inc. Appellate Case No. 2021-001183 Issues with Record on Appeal

***** EXTERNAL EMAIL:** This email originated from outside the organization. Please exercise caution before clicking any links or opening attachments. ***

Good afternoon,

Will I be allowed to correct the errors mentioned? If so, how many days do I have to resubmit the Record?

Thank you.

On Tue, May 3, 2022 at 9:04 AM Court Of Appeals Filings <ctappfilings@sccourts.org> wrote:

> Dear Counsel:
>
> The Court has received your filing. A stamped copy is attached for your records.
>
> Thank you.
>
> ---
>
> **From:** Kori A. McGraw <kori@whelanmellen.com>
> **Sent:** Tuesday, May 3, 2022 8:56 AM
> **To:** Court Of Appeals Filings <ctappfilings@sccourts.org>; clemonswelding1@gmail.com
> **Cc:** Charles Norris <charles@whelanmellen.com>
> **Subject:** Joe Clemons v. Peggy H. Pinnell Agency, Inc. Appellate Case No. 2021-001183 Issues with Record on Appeal

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Dear Court of Appeals,

Respondents, Peggy Pinnell Insurance Agency, Inc. and State Farm Life Insurance Company (collectively "State Farm" or "Respondents"), are attempting to prepare their final brief in the above reference matter. However, due to multiple errors with the Record on Appeal State Farm is unable to do so.

First, the Record on Appeal is not numbered, and the pages do not correlate with the index prepared by Mr. Clemons. Rule 211(b)(1), SCACR gives the form of references in the final brief to the record on appeal such as R followed by the page and line number. Without these page numbers the Respondents cannot in their final brief reference page numbers in the record. Additionally, the record includes material completely unrelated to any issue such as, for example, requests for protection from the case being called to trial during certain weeks. This violates Rule 210(g), SCACR. Further, the record on appeal does not include State Farm's designation or multiple items listed in Mr. Clemons' Designation. In fact, the only things from Mr. Clemons' designation included in the Record on Appeal is the Complaint and the Answer. Additionally, per the index, the only items within the Record on Appeal that were included in either parties designations are the Complaint and the Answer.

Because the Record on Appeal is fundamentally defective the Respondents are uncertain how to proceed. Please advise of us how we should handle this situation.

Sincerely,

Kori McGraw
WHELAN MELLEN & NORRIS, LLC
(843) 278-0170 | kori@whelanmellen.com

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