

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

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**Jul 11 2022**

**SC Court of Appeals**

APPEAL FROM FLORENCE COUNTY  
Court of Common Pleas, Twelfth Judicial Circuit  
Hon. Michael G. Nettles, Circuit Court Judge

Appellate Case No. 2022-000303  
Civil Action No. 2017-CP-21-01375

April Jones, ..... Respondent,

v.

Tim Ringer, individually and as employee/agent of Wal-Mart Stores Inc. d/b/a Wal-Mart Store #630; Wal-Mart Stores, Inc; and Wal-Mart Stores East, L.P. .... Defendants,

of which

Wal-Mart Stores, Inc; and Wal-Mart Stores East, L.P. are ..... Appellants.

**APPELLANTS' DESIGNATION OF MATTER  
FOR THE RECORD ON APPEAL**

Pursuant to Rule 209, SCACR, Appellants Wal-Mart Stores, Inc. and Wal-Mart Stores East, L.P. designate the following matter for inclusion in the record on appeal. Undersigned counsel certifies pursuant to Rule 209(c), SCACR, that the designation contains no matter irrelevant to the appeal.

**Orders**

1. District Court Remand Order (November 7, 2017).
2. Order Denying Motion for Continuance (May 13, 2019).
3. Order Granting Motion to Dismiss Appeal (July 31, 2019).

4. Order Denying Petition for Rehearing (November 14, 2019).
5. Order Denying Petition for Certiorari (June 24, 2020).
6. Form 4 Order Denying Motion for Summary Judgment (August 24, 2020).
7. Form 4 Verdict Form (November 15, 2021).
8. Form 4 Order Denying Post-Trial Motion (February 15, 2022).

### **Pleadings**

9. Complaint (May 22, 2017).
10. Notice of Removal (August 31, 2017).
11. Amended Complaint (January 16, 2018).
12. Answer to Amended Complaint (March 26, 2018).

### **Motions and Memoranda**

13. Defendants' Motion for Continuance and Entry of Scheduling Order (April 24, 2019).
14. Defendants' Motion for Summary Judgment (May 17, 2019).
15. Notice of Appeal (May 23, 2019).
16. Plaintiff's Memorandum in Opposition to Defendants' Motion for Summary Judgment (August 10, 2020).
17. Defendants' Motion for Summary Judgment (October 27, 2021).
18. Defendants' Motion *in Limine* to Exclude Photographic Evidence and for Sanctions (October 27, 2021).
19. Walmart's Motion and Memorandum in Support of Motion for Judgment Notwithstanding the Verdict and for a New Trial (November 22, 2021).
20. Plaintiff's Response in Opposition to Defendants' Motion for Judgment Notwithstanding the Verdict and for a New Trial (February 10, 2022).
21. Notice of Appeal (March 16, 2022).

**Transcripts**

- 22. Pretrial Hearing Transcript (November 5, 2021).
- 23. Trial Transcript (November 8, 2021—November 12, 2021).

**Exhibits and other materials**

- 24. Flash Drive Videos of May 15, 2019 Inspection.

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*Attorneys for Appellants Wal-Mart Stores, Inc. and  
Wal-Mart Stores East, L.P.*

July 11, 2022  
Greenville, South Carolina

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APPEAL FROM THE COURT OF COMMON PLEAS  
Florence County  
Hon. Michael G. Nettles

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Appellate Case No. 2022-000303  
Civil Action No. 2017-CP-23-01375

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April Jones, ..... Respondent,

v.

Tim Ringer, individually and as employee/agent of Wal-Mart Stores Inc. d/b/a Wal-Mart Store #630; Wal-Mart Stores, Inc; and Wal-Mart Stores East, L.P. ....Defendants,

of which

Wal-Mart Stores, Inc; and Wal-Mart Stores East, L.P. are ..... Appellants.

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**PROOF OF SERVICE**


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Pursuant to Rule 262(c)(3), SCACR, and the Supreme Court's Order dated May 6, 2022, undersigned counsel hereby certifies I have served a copy of Appellants' Initial Brief and Designation of Matter on counsel of record by electronic mail (see attached sent email):

**Counsel Served:**

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By:   
\_\_\_\_\_

Miles E. Coleman

*Counsel for Appellants Wal-Mart Stores, Inc., and  
Wal-Mart Stores East, L.P*

July 11, 2022  
Greenville, South Carolina

## Miles Coleman

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**From:** Miles Coleman  
**Sent:** Monday, July 11, 2022 6:00 PM  
**To:** 'George Hearn'; eric@akimlawfirm.com; Lane@akimlawfirm.com; roy@akimlawfirm.com  
**Cc:** Abigail Wood; nboyd@gaffneylewis.com; rblain@gaffneylewis.com; Fran Smith  
**Subject:** Jones v. Ringer et al. (No. 2022-000303) -- Initial Brief and Designation  
**Attachments:** 2022.7.11 -- Jones v. Walmart -- Designation of Matter.pdf; 2022.7.11 -- Jones v. Walmart -- Initial Brief of Appellants.pdf

Counsel — please find attached for electronic service a copy of Appellants' Initial Brief and Designation of Matter. I'll be filing these documents with the Court of Appeals shortly.

Miles



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July 11, 2022

**Via electronic filing and hand delivery**

The Honorable Jenny Abbott Kitchings  
Clerk of Court  
The South Carolina Court of Appeals  
1220 Senate Street  
Columbia, SC 29201

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**SC Court of Appeals**

RE: Appellants' Initial Brief and Designation of Matter  
*Jones v. Ringer et al.*  
Appellate Case No. 2022-000303  
Civil Action No. 2017-CP-23-01375  
Our File No. 013782/01651

Dear Ms. Kitchings:

Please find enclosed for filing in the above-referenced matter Appellants' Initial Brief and Designation of Matter. Also enclosed is a Proof of Service of the same. We ask that you file these documents and, if possible, return electronic copies to us bearing the Court's file stamp.

Please do not hesitate to contact us with any questions.

Very truly yours,



Miles E. Coleman  
*Counsel for Appellants*

CC: (by electronic mail)  
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