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Aug 15 2022

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM ANDERSON COUNTY
Court of Common Pleas

The Honorable R. Scott Sprouse, Circuit Court Judge
The Honorable J. Cordell Maddox, Jr., Circuit Court Judge

Appellate Case No. 2022-000242
Circuit Court Case No. 2019-CP-04-00927

Joyce Porter and Edith Durham..... Respondents,

v.

Jimmy L. Davis, Inc. and Jimmy L. Davis, Individually..... Appellants.

RESPONDENTS JOYCE PORTER AND EDITH DURHAM’S DESIGNATION OF THE
MATTER

Respondents Joyce Porter and Edith Durham designate the following to be included in the record on appeal:

Orders

1. Order for Entry of Default (July 9, 2019).
2. Form 4 Order Defendant for Default (Sept. 6, 2019).
3. Order Granting Default Judgment (Nov. 4, 2019).
4. Writ of Execution Against Judgment (Dec. 11. 2019).
5. Amended Rule to Show Cause Order (Aug 5, 2020).
6. Order Defendant’s Motion to Dismiss Denied, Motion to Set Aside Denied, and Motion to Stay Granted (Sept. 3, 2020).
7. Supplemental Order Holding Original Standing of Sept 3, 2020 Order (Sept. 22, 2020).
8. Defendant’s Order for Continuance (Jan. 27, 2021).

9. Form 4 Order Motion for Damages Heard on July 28, 2021 Under Advisement (Aug. 6, 2021).

10. Order Granting Default Judgment (Feb. 1, 2022).

Pleadings

11. Summons and Complaint (May 16, 2019).

Motions and Related Filings

12. Affidavit of Service for Jimmy L. Davis, Inc. (June 3, 2019).

13. Affidavit of Service for Jimmy L. Davis, Individually (June 3, 2019).

14. Motion for Entry of Default (July 2, 2019), and accompanying exhibits:

- i. Affidavit of Default
- ii. Affidavit of Non-Military Service
- iii. Order for Entry of Default
- iv. Certificate of Service

15. Motion for Default (August 19, 2019), and accompanying documents:

- i. Affidavit of Attorney's Fees and Costs
- ii. Certificate of Service

16. Notice of Hearing and Certificate of Service (Sept. 24, 2019).

17. Notice of Special Appearance and Motion to Dismiss and Set Aside Default and Default Judgment (Dec. 30, 2019).

18. Affidavit of Jimmy L. Davis (June 16, 2020).

19. Affidavit of Anna D. McWhite (June 16, 2020).

20. Supplemental Affidavit of Anna D. McWhite (Sept. 4, 2020).

21. Affidavit of Michael McNamara (Aug. 27, 2020).

Transcripts

22. Hearing Transcript (Aug. 31, 2020).

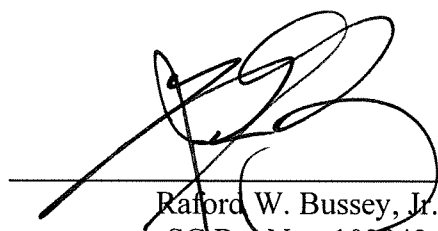
23. Hearing Transcript (July 28, 2021).

Other Materials

24. Settlement Agreement and Release (Jan. 3, 2018).

25. Notices of Appeal.

**The below-signed certifies that this Designation contains no matter which is irrelevant to
this appeal.**



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Attorneys for the Respondents Joyce Porter and Edith Durham

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Joyce Porter and Edith Durham,..... Respondents.

v.

Jimmy L. Davis, Inc. and Jimmy L. Davis, Individually..... Appellants.

CERTIFICATE OF SERVICE

I, the undersigned attorney for the Respondents Joyce Porter and Edith Durham, do hereby certify that I have served the Respondents' Initial Brief and Designation of Matters on Jimmy L. Davis, Inc. and Jimmy L. Davis, individually, by depositing a copy of it in the United States Mail, postage prepaid, on August 15, 2022, addressed to their attorneys of record, James S. Eakes, Esq., P.O. Box 1405, Anderson, South Carolina, 29622, and by electronic mail at: stveakes@bellsouth.net. I also certify that I have served the original and one copy of the Respondents' Initial Brief and Designation of Matters on the South Carolina Court of Appeals by depositing it in the United States Mail, postage prepaid, on August 15, 2022, addressed to The Honorable Jenny Abbott Kitchings, Clerk of Court, P.O. Box 11629, Columbia, SC 29211, and by electronic mail at: ctappfilings@sccourts.org.



By: Rafer W. Bussey, Jr. (103943)
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August 15, 2022

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August 15, 2022

Via U.S. Mail and Email

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SC Court of Appeals

RE: Joyce Porter, et al. v. Jimmy L. Davis, Inc., et al.
Circuit Court Case No.: 2019-CP-04-00927
Appellate Case No.: 2022-000242

Dear Ms. Kitchings:

Please find enclosed herewith for service upon the court and opposing counsel the original and one (1) copy of Respondents' Joyce Porter and Edith Durham's Initial Brief and Designation of Matters, along with a Proof of Service for same.

Should you have any questions or concerns, feel free to contact our office.

Regards,

HOLDER PADGETT LITTLEJOHN + PRICKETT, LLC

Catherine Martin

Catherine Martin
Paralegal to M. Stokely Holder and Rford W.
Bussey, Jr.

/cem

cc: *James S. Eakes, Esq.*