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**Sep 14 2022**

**SC Court of Appeals**

THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

APPEAL FROM KERSHAW COUNTY  
Court of Common Pleas

Appellate Case No. 2022-001041

Elizabeth A. Farmer..... Respondent,

v.

James Timothy Short..... Appellant.

**RESPONDENT'S DESIGNATION OF MATTER TO BE  
INCLUDED IN THE RECORD OF APPEAL**

Respondent proposes the following be included in the Record on Appeal:

1. Plaintiff's Complaint filed July 17, 2020.
2. Defendant's Answer and Counterclaim filed August 14, 2020.
3. Plaintiff's Reply to Defendant's Answer and Counterclaim filed September 2, 2020.
4. Plaintiff's Motion for Writ of Partition filed December 4, 2020.
5. Plaintiff's Motion for Order of Reference filed December 4, 2020.
6. Defendant's Memorandum in Opposition to Motion for a Writ of Partition and Appointment of Commissioners filed March 22, 2021.
7. Judge Lee Form-4 Order dated March 29, 2021.
8. Order of the Honorable Jeffrey M. Tzerman dated January 26, 2022.
9. Defendant's Motion to Alter or Amend and for Reconsideration filed

February 4, 2022.

10. Order of The Honorable Jeffrey M. Tzerman denying Defendant's Motion to Alter or Amend and for Reconsideration dated June 23, 2022.
11. Defendant's Notice of Appeal dated July 22, 2022.
12. Transcript of Record dated August 25, 2021.
13. September 19, 2021, email from Michael Wright to Jeffrey M. Tzerman in reply to Jeffrey M. Tzerman's September 17, 2021 email advising both parties of his ruling in the case.

I certify that this designation contains no matter which is irrelevant to this appeal.

Respectfully submitted,

S/John W. Wells  
John W. Wells  
Baxley, Wells & Benson, P.A.  
P.O. Box 10  
Lugoff, SC 29078  
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[jwells@baxleywells.com](mailto:jwells@baxleywells.com)

***Other Counsel of Record:***

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James Timothy Short..... Appellant.

**PROOF OF SERVICE**

The undersigned certifies that, on September 14, 2022, a copy of the Initial Brief of Respondent and Respondent's Designation of Matter to be included in the Record on Appeal have been served upon counsel of record for the Appellant via electronic mail using the email addressed listed in the Attorney Information System as set forth below:

Michael D. Wright  
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Camden, SC 29021  
(803) 432-4391  
[mwright@thesavagefirm.com](mailto:mwright@thesavagefirm.com)

[Signature Page to Follow]

Respectfully submitted,

*S/John W. Wells* \_\_\_\_\_  
John W. Wells  
Baxley, Wells & Benson, P.A.  
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Lugoff, SC 29078  
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## Jessica Clyburn

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**From:** Jessica Clyburn  
**Sent:** Wednesday, September 14, 2022 4:17 PM  
**To:** Michael Wright  
**Cc:** John Wells  
**Subject:** Farmer v. Short Appellate Case No.: 2022-001041  
**Attachments:** Proof of Service.pdf; Initial Brief of Respondent.pdf; RESPONDENT'S DESIGNATION OF MATTER.pdf; SC Court of Appeals Letter.pdf

Good Afternoon, Mr. Wright:

Attached, please find the Initial Brief of Respondent, Respondent's Designation of Matter to be Included in the Record of Appeal, Letter to The Honorable Jenny Kitchings and Proof of Service for the above referenced case. Thanks.

Thanks,  
**Jessica Clyburn**  
Legal Secretary for John W. Wells  
**Baxley, Wells & Benson, P.A.**  
PO Box 10 | 3 The Common at Lugoff | Lugoff, SC 29078  
Phone 803.438.4200 | Ext: 21 | Fax: 803.438.5090  
Email: [Jclyburn@baxleywells.com](mailto:Jclyburn@baxleywells.com)

**\*\*\*Please be advised that effective September 2, 2022, our office hours on Fridays are changing to 8:30 a. m. to 1:00 p. m.\*\*\***

**\*\*We cannot accept walk-in appointments at this time. Please call our office at 803.438.4200 to schedule an appointment if one is needed. \*\***

**\*\* PLEASE NOTE: If loan packages for real estate closings *are not* received within 24 hours prior to the scheduled closing date and time, the closing will be rescheduled, no exceptions!**

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CHARLES B. BAXLEY,  
OF COUNSEL  
REX K. PRATT  
(1929 – 1999)

September 14, 2022

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**SC Court of Appeals**

**VIA E-Filing to: [ctappfilings@sccourts.org](mailto:ctappfilings@sccourts.org)**

The Honorable Jenny Abbott Kitchings, Clerk of Court  
South Carolina Court of Appeals  
P.O. Box 11629  
Columbia, SC 29211

Re: Elizabeth A. Farmer v. James Timothy Short  
Appellate Case No.: 2022-001041

Dear Mrs. Kitchings:

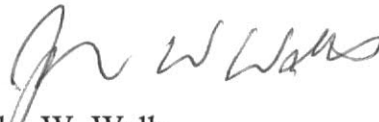
I hope this correspondence finds you doing well.

Please find enclosed for electronic filing and service the Initial Brief of Respondent and Respondent's Designation of Matter to be Included in the Record on Appeal as well as accompanying proof of electronic service with a copy of the e-mail to Michael D. Wright using the email listed in the Attorney Information System. I ask that you have someone from your office provide me with a filed stamped copy of the same. By electronic copy of this letter, I am serving all counsel of record of my correspondence with the court and a copy of the aforementioned filings.

If you have any questions, please do not hesitate to contact me.

Very Truly Yours,

**BAXLEY, WELLS & BENSON, P.A.**

A handwritten signature in black ink, appearing to read "John W. Wells". The signature is fluid and cursive, with the first letters of each name being capitalized and prominent.

John W. Wells  
S.C. Bar No.: 6019  
P.O. Box 10  
Lugoff, SC 29078  
(803) 438-4200  
Attorney for Respondent

JWW/jc  
Enclosures as stated

cc: Michael D. Wright, Esquire (via Electronic Mail)