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**Oct 07 2022**

**SC Court of Appeals**

THE STATE OF SOUTH CAROLINA  
In The Court Of Appeals

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APPEAL FROM CHARLESTON COUNTY  
Court of Common Pleas

The Honorable Frank R. Addy, Jr., Circuit Court Judge

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Appellate Case No.:2022-000470  
Case No.: 2021-CP-10-04342

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Levi Grantham, LLC, .....Appellant,

v.

Kathy Wright Mitchell, .....Respondent.

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**DESIGNATION OF MATTER TO BE INCLUDED  
IN THE RECORD ON APPEAL**

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Appellant Levi Grantham, LLC designates the following to be included in the Record on Appeal:

1. Lis Pendens, filed August 30, 2021;
2. Summons and Complaint, filed September 20, 2021;
3. Exhibit A to the Complaint – Agreement to Buy and sell Real Estate dated February 11, 2021, filed September 23, 2021;
4. Defendant’s Answer and Counterclaim, filed November 8, 2021;
5. Plaintiff Levi Grantham, LLC’s Reply to Defendant Kathy Wright Mitchell’s Counterclaims, filed December 8, 2021;

6. Defendant's Notice of Motion and Motion for Summary Judgment, filed February 22, 2022;

7. Defendant's Affidavit in Support of Motion for Summary Judgment with Exhibits, filed February 22, 2022;

a. Exhibit A – Letter from Defendant's Attorney to Plaintiff's Attorney, dated November 4, 2021;

b. Exhibit B – Letter from Defendant's Attorney to Plaintiff's Attorney, dated January 5, 2022;

c. Exhibit C – Letter from Defendant's Attorney to Plaintiff's Attorney, dated February 2, 2022;

8. Plaintiff Levi Grantham, LLC's Memorandum in Opposition to Defendant Kathy Wright Mitchell's Motion for Summary Judgment with Exhibits, filed March 28, 2022;

a. Exhibit A – Affidavit of Joshua Craig with Exhibits, dated March 28, 2022;

i. Exhibit 1 – Agreement to Buy and sell Real Estate dated February 11, 2021;

ii. Exhibit 2 – Letter from Levi Grantham, LLC to Kathy Wright Mitchell, dated July 9, 2021;

b. Exhibit B - Agreement to Buy and sell Real Estate dated February 11, 2021;

c. Exhibit C – Zillow Listing for 1584 Folly Road;

9. Defendant's Memorandum in Support of Motion for Summary Judgment with Exhibits, filed March 29, 2022;

a. Exhibit A – Charleston County GIS map of 1584 Folly Road;

b. Exhibit B – Letters from Levi Grantham, LLC to Kathy Wright Mitchell, dated June 4, 2021 and July 9, 2021;

10. Transcript of Record taken March 31, 2022;

11. Order Granting Defendant's Motion for Summary Judgment, filed April 1, 2022;

12. Plaintiff's Motion for Reconsideration, filed April 11, 2022;

13. Defendant's Memorandum in Opposition to Plaintiff's Rule 59(e) Motion for Reconsideration, filed April 13, 2022;

14. Form 4 Order denying Plaintiff's Motion for Reconsideration, filed April 14, 2022;

15. Notice of Appeal with Exhibit, filed April 18, 2022;

Appellant certifies that this designation contains no matter which is irrelevant to this appeal.

*s/E. Brandon Gaskins*

E. Brandon Gaskins (S.C. Bar No. 73274)

Moore & Van Allen PLLC

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Charleston, SC 29401

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*Attorney for Appellant*

*Levi Grantham, LLC*

October 7, 2022  
Charleston, South Carolina

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Case No.: 2021-CP-10-04342

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Levi Grantham, LLC, .....Appellant,

v.

Kathy Wright Mitchell, .....Respondent.

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**PROOF OF SERVICE**

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This is to certify that I have this day served counsel for the Respondent in the foregoing matter with a copy of the *Initial Brief of Appellant* and *Designation of Matter to be Included in the Record on Appeal* via electronic mail only, addressed as follows:

Donald J. Budman, Esquire  
Solomon, Budman & Stricker, LLP  
1052 Gardner Rd, Suite 200  
P.O. Box 30280  
Charleston, SC 29417  
[dbudman@southcarolinalegal.org](mailto:dbudman@southcarolinalegal.org)

*Attorney for Respondent Kathy Wright Mitchell*

*s/E. Brandon Gaskins*

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*Attorney for Appellant*

*Levi Grantham, LLC*

October 7, 2022

Charleston, South Carolina

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**SC Court of Appeals**

**Moore & Van Allen**

**VIA EMAIL ONLY**

The Honorable Jenny Abbott Kitchings  
Clerk, South Carolina Court of Appeals  
P.O. Box 11629  
Columbia, SC 29211  
Email: [ctappfilings@sccourts.org](mailto:ctappfilings@sccourts.org)

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**Re: Levi Grantham, LLC v. Kathy Wright Mitchell**  
**Civil Action No.: 2021-CP-10-04342**  
**Appellate Case No.: 2022-000470**  
**MVA File No.: 048042.000001**

Dear Ms. Kitchings,

With regard to the above-referenced matter, please accept the following for filing in the above matter:

1. Initial Brief of Appellant Levi Grantham, LLC;
2. Designation of Matter to be Included in the Record on Appeal; and
3. Proof of Service.

By copy of this letter, I am serving Respondent's attorney with a copy of the Initial Brief of Appellant and Designation of Matter to be Included in the Record on Appeal.

Thank you for your assistance with this matter. If you should you have any questions, please feel free to contact me.

Sincerely,

MOORE & VAN ALLEN PLLC



E. Brandon Gaskins

EBG/ljp

Enclosure: As Stated.

cc: Donald J. Budman, Esquire (*via e-mail only*)

Charlotte, NC  
Charleston, SC