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Nov 21 2022

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM SPARTANBURG COUNTY
Court of Common Pleas

Shannon M. Phillips, Master-in-Equity

Appellate Case No. 2022-000393

U.S. Bank Trust, N.A. as Trustee for LSF10 Master Participation Trust,.....Respondent,

v.

Austin A. Lowery a/k/a Austin Lowery a/k/a Austin Allen Lowery a/k/a Allen Lowery, individually, and as Heir or Devisee of the Estate of Lisa D. Lowery a/k/a Lisa Marie Davis Lowery, Deceased; South Carolina Department of Revenue; The United States of America acting by and through its agency, Department of the Treasury - Internal Revenue Service; and Elizabeth A. Lowery,.....Defendants,

Of whom Austin A. Lowery a/k/a Austin Lowery a/k/a Austin Allen Lowery a/k/a Allen Lowery, individually, and as Heir or Devisee of the Estate of Lisa D. Lowery a/k/a Lisa Marie Davis Lowery, Deceased, is the.....Appellant.

DESIGNATION OF MATTER
TO BE INCLUDED IN THE RECORD ON APPEAL

Appellant proposes the following to be included in the Record on Appeal:

1. Both mortgage documents;
2. Mortgage release document;
3. HUD-1 settlement statement;
4. 2008 foreclosure action amended complaint;
5. 2008 foreclosure action order striking case;
6. Summons and complaint, with exhibits;
7. Amended summons and complaint, with exhibits;
8. Answer and counterclaim to amended complaint;

9. Second amended summons and complaint, with exhibits;
10. Motion to dismiss counterclaim;
11. Memorandum in opposition to motion to dismiss counterclaim;
12. Affidavit of Austin Allen Lowery, with exhibit;
13. Order denying motion to dismiss;
14. Reply to counterclaim;
15. Plaintiff's motion for partial summary judgment;
16. Defendant's motion for summary judgment as to Plaintiff's claims;
17. Defendant's motion for summary judgment on liability as to counterclaim;
18. Transcript of April 26, 2021, hearing;
19. Order denying defendant's motions for summary judgment;
20. Order granting plaintiff's motion for partial summary judgment filed May 20, 2021;
21. Plaintiff's motion for summary judgment, with exhibits;
22. Memorandum in opposition to plaintiff's motion for summary judgment, with exhibits;
23. Transcript of January 31, 2022, hearing;
24. Order granting partial summary judgment filed Feb. 23, 2022;
25. Motion to reconsider;
26. Return to motion to reconsider; and
27. Order denying motion to reconsider.

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

Respectfully submitted,

/s/ Andrew S. Radeker
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PROOF OF SERVICE

I certify that I have served the foregoing designation of matter on the date given below by emailing it to counsel for the Respondent at the address(es) noted below.

J. Derrick Jackson, Esq., at dj@tobywardlaw.com
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November 21, 2022