

RECEIVED

Dec 07 2022

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM CHARLESTON COUNTY
Court of Common Pleas

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

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

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

v.

Kathy Wright Mitchell,.....Respondent.

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

Respondent Kathy Wright Mitchell 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 and Addendum 1 to Buy and sell Real Estate dated February 11, 2021, filed September 23, 2021;
4. Defendant Kathy Wright Mitchell’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 Kathy Wright Mitchell'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'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;

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

S/ Donald J. Budman

Donald J. Budman, Esquire (S.C. Bar No. 998)
Solomon, Budman & Stricker, LLP
1052 Gardner Rd, Suite 200
P.O. Box 30280
Charleston, SC 29417
dbudman@southcarolinalegal.com

December 7, 2022

Attorneys for Respondent Kathy Wright Mitchell

Charleston, South Carolina

RECEIVED

Dec 07 2022

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM CHARLESTON COUNTY
Court of Common Pleas

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

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

Levi Grantham, LLC,Appellant,
v.
Kathy Wright Mitchell,Respondent.

PROOF OF SERVICE

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

E. Brandon Gaskins (S.C. Bar No. 73274)
Moore & Van Allen PLLC
78 Wentworth Street
P.O. Box 22828
Charleston, SC 29413-2828
Telephone: (843) 579-7000
Facsimile: (843) 579-7099
Email: brandongaskins@mvalaw.com
Attorney for Appellant, Levi Grantham, LLC

/S/ Donald J. Budman

Donald J. Budman (S.C. Bar No. 00998)
Solomon, Budman & Stricker, LLP
1052 Gardner Rd.
P.O. Box 30280
Charleston, SC 29417
Telephone: (843) 763-1118 ext. 21
Facsimile: (843) 763-7518
dbudman@southcarolinaw.org
Attorney for Respondent, Kathy Wright Mitchell

December 7, 2022
Charleston, South Carolina

SOLOMON, BUDMAN & STRICKER, L.L.P.

DONALD J. BUDMAN

MICHAEL A. STRICKER
(SC, GA, TN)

Attorneys At Law

Triest Executive Center
1052 Gardner Road, Suite 200
Charleston, South Carolina 29407

E-Mail: dbudman@southcarolinalegal.org

Mailing Address:
P.O. Box 30280
Charleston, S.C. 29417
Telephone:
(843) 763-1118
Fax:
(843) 763-7518

December 7, 2022

The Honorable Jenny Abbott Kitchings
Clerk, South Carolina Court of Appeals
P.O. Box 11629
Columbia, SC 29211
By Email Only: ctappfilings@sccourts.org

RECEIVED
Dec 07 2022
SC Court of Appeals

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

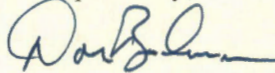
Dear Ms. Kitchings,

Regarding the above referenced appeal, I attach for filing the following documents:

1. Initial Brief of Respondent, Kathy Wright Mitchell;
2. Designation of Matter to be Included in the Record on Appeal, with certificate of counsel for Respondent; and
3. Proof of Service.

By copy of this letter and attachment to the Appellant's attorney, I am serving him electronically with a copy of the same documents. Thank you for your assistance with this matter. If you have any questions, please feel free to contact me.

Respectfully,



Donald J. Budman

Cc: E. Brandon Gaskins, Esq. (w/enc)
Attorney for Appellant
Brandongaskins@mvalaw.com