

RECEIVED

Mar 30 2023

SC Court of Appeals

IN THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM ANDERSON COUNTY
Court of Common Pleas

The Honorable R. Scott Sprouse

Case No. 2020-CP-04-01202
Appellate Case No.: 2022-001527

MOATS CONSTRUCTION, INC.Appellant,

v.

CECIL R. DYARRespondent.

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

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

1. Summons and Complaint filed on November 1, 2019 by Cecil R. Dyar against Moats Construction, LLC;
2. Summons and Complaint filed on June 2, 2020 by Moats Construction, Inc. against Cecil R. Dyar;
3. Answer and Counterclaim filed by Respondent on June 23, 2020;
4. Agreement for Sale and Purchase of Real Property;
5. Deposition of Russell Moats dated January 8, 2021;
6. Affidavit of Default filed by Respondent on February 15, 2021;

7. Motion for Summary Judgment on the Pleadings or, in the Alternative, Motion for Summary Judgment filed by Cecil R. Dyar on February 15, 2021;
8. Memorandum in Support of Motion for Summary Judgment, with exhibits, filed on April 1, 2021;
9. Form 4 Order Granting Summary Judgment dated May 4, 2021;
10. Formal Order Granting Summary Judgment dated June 10, 2021;
11. Motion to Be Relieved as Counsel dated February 4, 2022;
12. Appellant's Motion for Continuance dated February 8, 2022;
13. Respondent's Response to Motion to Be Relieved as Counsel and Motion for Continuance dated February 8, 2022;
14. Transcript from Damages Hearing held on February 24, 2022;
15. Formal Order dated July 21, 2022;
16. Respondent's Response to Motion to Alter or Amend;
17. Formal Order dated October 4, 2022 Denying Moats' Motion to Alter or Amend;
18. Satisfaction of Judgment filed on November 23, 2022.

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

March 30, 2023



James W. Logan, Jr.