

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 AMENDED 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;
19. Respondent's Motion to Dismiss Appellant's Appeal.

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



James W. Logan, Jr.

April 5, 2023

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SC Court of Appeals

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v.

CECIL R. DYARRespondent.

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the Respondent's Amended Designation of Matter was served via electronic mail and by first class mail, postage prepaid this 5th day of April, 2023, upon the following:

David L. Paavola, SC Bar No. 100714
Kenison, Dudley & Crawford, LLC
1122 Barnwell Street, Suite B
Columbia, SC 29201



James W. Logan, Jr., SC Bar No. 3385
LOGAN & JOLLY, LLP
Post Office Box 259
Anderson, SC 29622
(864)226-1910

Date: April 5, 2023

Attorneys for Respondent