

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM YORK COUNTY
Court of Common Pleas

John C. Hayes, III, Circuit Court Judge

Case No. 2009-CP-46-03360

ROBERT K. MARSHALL, Jr., and
DONNA CHAPMAN MARSHALL,
doing business as "Rock Hill Property Management",
a South Carolina general partnership, Appellants,

vs.

THE CITY OF ROCK HILL, SOUTH CAROLINA,
a municipal corporation,
CAREY F. SMITH, in his capacity as City Manager, and
LORI THOMAS,
in her capacity as Customer Services Manager Respondents.

DESIGNATION OF MATTER TO BE
INCLUDED IN THE RECORD ON APPEAL

The Appellants propose the following be included in the Record on Appeal:

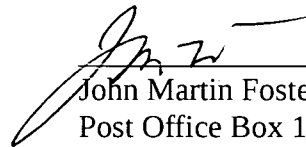
1. Order of the Honorable John C. Hayes, III, dated April 9, 2012 and filed April 18, 2012;
2. Order of the Honorable John C. Hayes, III, dated August 26, 2009 and filed August 28, 2009;
3. Complaint, with attachments, dated August 4, 2009 and filed August 5, 2009;
4. Answer dated September 18, 2009;
5. Memorandum on Plaintiffs' Motion for Temporary Injunction, dated August 25, 2009 and filed August 26, 2009;
6. Affidavit in Support of Motion for Temporary Injunction, dated August 25, 2009 and filed August 26, 2009;
7. Defendants' Return to Motion for Temporary Injunction, dated August 26, 2009;
8. Affidavit of Lori Thomas, with attachments, dated August 25, 2009;

9. Defendants' Motion for Summary Judgment dated February 29, 2012;
10. Memorandum in Support of Motion for Summary Judgment, dated March 22, 2012;
11. Memorandum in Opposition to Motion for Summary Judgment, dated March 21, 2012;
12. Affidavit of Robert K. Marshall, Jr. in Opposition to Motion for Summary Judgment, dated March 19, 2012;
13. Transcript of Hearing on Motion for Summary Judgment, March 22, 2012, p. 3, l.1 – p.27, l.15.

14. Deposition of Lori Thomas, November 30, 2011, p.3, l.17 – p.36, l.4;
15. Deposition of Robert K. Marshall, Jr., January 24, 2012, p. 3, l.18 – p.103, l.5;
16. Deposition of Donna Marshall, January 24, 2012, p.3,l.17 – p.16, l.14.;

17. Municipal Code of City of Rock Hill, Section 29-2 (Code 1981).

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



John Martin Foster
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Attorney for Appellants

June 25, 2013

Rock Hill, South Carolina

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CERTIFICATE OF SERVICE

I certify that I have served the Initial Brief of Appellants and Designation of Matter to Be Included in the Record on Appeal, dated June 25, 2013, on the following counsel or persons of record:

Wm. Mark White
Jeremy D. Melville
Spencer & Spencer, PA
PO Box 790
Rock Hill, SC 29731

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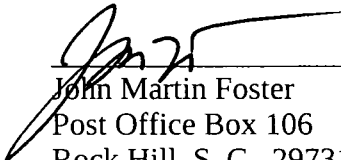
JUN 28 2013

SC Court of Appeals

by depositing the same with the United States mail, with sufficient first class postage attached, properly addressed to the clerk of the Court, and with a copy also directed to the respective last known address(es) of those attorney(s) and/or persons set out above; or

by hand delivering copies of the same to the following persons, or by leaving the same at that person's office with that person's clerk or some other person in charge thereof, or by leaving it in a conspicuous place therein; or if the office was closed or the person to be served has no office, by leaving a copy at that person's dwelling place or usual place of abode with some person of suitable age and discretion then residing therein, all pursuant to Rule 262, S.C.A.C.R.

June 25, 2013


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