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May 24 2023

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM MARLBORO COUNTY
Court of Common Pleas

(Case No. 2021-CP-34-00150)

Roger E. Henderson, Presiding Judge

Appellate Case No. 2022-001791

RS&A Piping & Fabrication, Inc. a/k/a R. S. & A. Piping, Inc.,.....Appellant,

v.

Ronald D. Kirby, Dylan T. Kirby, Treasurer for Marlboro County and Danny T. Williams..... Respondents.

**INDIVIDUAL RESPONDENTS' DESIGNATION OF MATTER
TO BE INCLUDED IN THE RECORD OF APPEAL**

Individual Respondents propose the following to be included in the Record on Appeal:

ORDERS

1. Order of Dismissal filed on November 4, 2021.
2. Order Denying Motion to Reconsider filed on November 21, 2022.
3. Order to Substitute Marlboro County Delinquent Tax Collector in Place of Treasurer for Marlboro County filed on December 20, 2022.

MOTIONS

4. Notice of Motion, Motion to Dismiss filed on June 15, 2021
5. Notice of Motion and Motion to Reconsider Order of Dismissal with Plaintiff's Memorandum (In Support of Motion to Reconsider Order of Dismissal) filed on November 12, 2021
6. Motion to Substitute Tax Collector filed August 6, 2021.

TRANSCRIPTS OF RECORD

- 7. Hearing on August 21, 2021, All dialogue pages for context (3-18).
- 8. Hearing on September 29, 2022, All dialogue pages for context (1 through 28).

PLEADINGS

- 9. Summons and Complaint filed on May 17, 2021 with Exhibits attached thereto (tax deed).
- 10. Answer of the Defendant, Treasurer for Marlboro County filed on June 15, 2021.
- 11. Answer for Defendants Ronald D. Kirby, Dylan T. Kirby and Danny T. Williams filed on June 16, 2021.

Florence, South Carolina

TURNER, PADGET, GRAHAM & LANEY, P.A.

May 24, 2022

By: s/ J. Rene Josey

J. René Josey (S.C. Bar # 3230)

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Florence, SC 29502-5478

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ATTORNEY FOR INDIVIDUAL RESPONDENTS

Other Counsel of Record:
Leonard R. Jordan, Jr., Esquire
Andrew F. Lindemann, Esquire

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Ronald D. Kirby, Dylan T. Kirby, Treasurer for Marlboro County and Danny T. Williams..... Respondents.

PROOF OF SERVICE

I, Jon Rene Josey, attorney for the Respondents Ronald D. Kirby, Dylan T. Kirby and Danny T. Williams, hereby certify that I have served this 24th day of May, 2023 a copy of the Individual Respondents' *Designation of Matter* upon Leonard R. Jordan, Jr., Attorney for Appellant, R. S. & A. Piping, Inc. and Andrew F. Lindemann, Esquire, Attorney for Respondent, Treasurer for Marlboro County, by E-Mailing to them at the addresses indicated below:

Leonard R. Jordan, Jr., Esquire
Jordan Law Firm
211 Veterans Road, Suite D
Columbia, SC 29209
ljordan@ljordanlaw.com

Andrew F. Lindemann, Esquire
Lindemann Law Firm, P.A.
Post Office Box 6923
Columbia, SC 29260
Andrew@ldlawsc.com

s/J. Rene Josey

Jon Rene Josey, Esquire

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SC Court of Appeals

REPLY TO:

J. René Josey

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Writer's Direct Dial: (843) 656-4451
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May 24, 2023

VIA EMAIL (ctappfilings@sccourts.org)

The Honorable Jenny Abbott Kitchings
Clerk, South Carolina Court of Appeals
Post Office Box 11629
Columbia, South Carolina 29211

Re: RS&A Piping & Fabrication, Inc. a/k/a R. S. & A. Piping, Inc. v. Ronald D. Kirby, Dylan T. Kirby, Treasurer for Marlboro County and Danny T. Williams
Appellate Case No.: 2022-001791
TPGL File No.: 18280.101

Dear Ms. Kitchings:

Pursuant to Section (b)(2) of the Supreme Court's Order RE: Methods of Electronic Filing and Service Under Rule 262 of the South Carolina Appellate Court Rules, please find enclosed for filing Respondents Ronald D. Kirby, Dylan T. Kirby, and Danny T. Williams' Initial Brief and Designation of the Matter to be included in the Record of Appeal.

Sincerely,

TURNER PADGET GRAHAM & LANEY P.A.

/ J. René Josey

J. René Josey

JRJ/alb

Enclosure

cc: Leonard R. Jordan, Esq. (Via E-Mail)(w/ enc)
Andrew F. Lindemann, Esq. (Via E-Mail)(w/ enc)