

RECEIVED

Jun 14 2023

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM LEXINGTON COUNTY
Court of Common Pleas

Walton J. McLeod, Circuit Court Judge

Case No. 2022-001602

Rene S. Wells and Wilson Shealy, Jr.,
as Co-Personal Representatives of
Wilson Shealy, Sr.,

Respondent,

v.

David Shealy,

Appellant.

David Shealy,

Appellant,

v.

Rene Shealy Wells, Wilson Shealy, Jr.,
and Mimi Shealy,

Respondents.

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

Appellant designates the following matter to be included in the Record on Appeal.

1. Order Granting Summary Judgment filed October 7, 2022
2. Affidavit of David Shealy filed August 1, 2022
 - Exhibit A – List of Personal Property
 - Exhibit B – Bills of Sale
 - Exhibit C – SCDMV Records
 - Exhibit D – Scrap Records
 - Exhibit E – Shealy Aviation Auction
 - Exhibit F – Right of Entry Agreement
3. Third Party Plaintiff's Return and Brief in Opposition to Third Party Defendants' Motion for Summary Judgment filed August 1, 2022

4. Defendant's Return and Brief in Opposition to Plaintiff's Motion for Summary Judgment filed August 1, 2022

Exhibit A – Letter of William Walker

5. Plaintiff's Supplemental Memorandum in Support of Summary Judgment filed July 29, 2022
6. Third Party Defendants' Motion for Summary Judgment filed April 18, 2022
7. Plaintiff's Motion for Summary Judgment filed March 21, 2022

Exhibit 2 – Death Certificate of Wilson Shealy, Sr.

Exhibit 3 – Last Will and Testament of Wilson Shealy

Exhibit 4 – Trust Agreement of Wilson Shealy

8. Order Substituting Personal Representatives as Plaintiff filed March 17, 2022
9. Consent Order for Substitution of Counsel filed March 11, 2022
10. Motion to Be Relieved as Counsel filed April 7, 2021
11. Order to Restore Case to Active Docket filed February 25, 2021
12. Consent Order Pursuant to Rule 40(j) filed February 28, 2020
13. Answer to Amended Counterclaims filed February 25, 2020
14. Reply to Third Party Plaintiff's Complaint filed February 25, 2020
15. Defendant's Amended Answer, Counterclaims, and third Party Complaint filed February 19, 2020
16. Order Modifying Prior Restraining Order and Preliminary Injunction filed November 8, 2019
17. Order filed October 23, 2019
18. Motion to Allow Independent Inventory and Accounting filed September 9, 2019

Exhibit A – List of Property by the Map

19. Answer to Counterclaims filed October 29, 2018
20. Reply of Third Party Defendants to Third Party Plaintiff's Complaint filed October 23, 2018
21. Defendant's Answer, Counterclaim, and Third Party Complaint filed October 2, 2018

Exhibit A – David Shealy's Claimed Property

22. Order Vacating Default filed September 17, 2018

23. Defendant's Submission of Claimed Property filed July 25, 2018

Exhibit A – David Shealy's Claimed Property

24. Consent Order for Restraining Order and Preliminary Injunction filed July 23, 2018

25. Affidavit of Rene Shealy Wells filed July 20, 2018

26. Motion to Set Aside Default filed July 20, 2018

Exhibit A – General Durable Power of Attorney

27. Affidavit of David Shealy filed July 19, 2018

28. Summons & Complaint filed February 28, 2018

29. Transcript of Record of August 4, 2022

Page 5, lines 6-22

Page 6, lines 6-9

Page 7, line 25

Page 8, lines 1-5

Page 11, lines 4-9

Page 17, lines 2-8, 13-20

Page 18, lines 20-24

Page 31, lines 7-25

Page 32-33, line 19

Page 38, lines 21-25

Page 39

Page 40, lines 11-25

Page 41-43

The undersigned certifies that this Designation contains no matter which is irrelevant to the appeal.

June 14, 2023

TOBIAS G. WARD, JR., PA

s/ J. Derrick Jackson

J. Derrick Jackson, SC Bar 15192

Tobias G. Ward, Jr., PA

Post Office Box 50124

Columbia, South Carolina 29250

(803) 708-4200

Attorney for Appellant