

**FORM 14  
DESIGNATION OF MATTER TO BE  
INCLUDED IN THE RECORD ON APPEAL**

THE STATE OF SOUTH CAROLINA  
In The Court of  
Appeals

**RECEIVED**  
SEP 15 2023  
SC Court of Appeals

Appeal from Richland County  
The Honorable Joseph M. Strickland, Master in Equity  
Court of Common Pleas  
Case No.2018CP4000382

Appellate Case No. 2022-001106

Deutsche Bank National Trust Company, as Trustee for Ameriquest Mortgage Securities Inc., Asset-Backed Pass-Through Certificates, Series 2004-R4, Respondent..... Respondent

v.

Butch Johnson a/k/a Butch Johnson Richard; Wildewood V Homeowners Association, Inc.; Fleetcor Technologies Operating Company, LLC; South Carolina Community Bank; Palmetto Citizens Federal Credit Union; East Richland County Public Service District; Alcon Action Agency II, LLC; TD Bank, N.A.; Defendants, of whom Butch Johnson a/k/a Butch Johnson Richard is the Appellant.....Appellant


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

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

1. Order of August 2, 2022;
2. Order of July 28, 2022;
3. Transcript of Proceedings

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

September 15, 2023

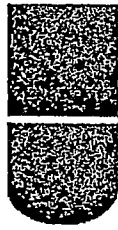
  
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SC Court of Appeals

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**HEARING PROCEEDINGS**

*June 28, 2022*

**Deutsche Bank National Trust Company, etc.**

vs

**Butch Johnson, etc.**

**2018-CP-40-00382**

**REPORTER: Patricia Bachand**

1 STATE OF SOUTH CAROLINA ) IN THE COURT OF COMMON PLEAS  
2 COUNTY OF RICHLAND ) C/A NO.: 2018-CP-40-00382

3  
4 Deutsche Bank National Trust Company, )  
5 as Trustee for Ameriquest Mortgage )  
6 Securities Inc., Asset-Backed )  
7 Pass-Through Certificates, Series )  
8 2004-R4, )  
9 Plaintiff, )  
10 vs. )  
11 Butch Johnson a/k/a Butch Johnson )  
12 Richard; Wildewood V Homeowners )  
13 Association, Inc.; Fleetcor )  
14 Technologies Operating Company, LLC; )  
15 South Carolina Community Bank; )  
16 Palmetto Citizens Federal Credit )  
17 Union; South Carolina Federal )  
18 Credit Union; East Richland County )  
19 Public Service District; Alcon Action )  
20 Agency II, LLC; TD Bank, N.A., )  
21 Defendants. )

MOTION FOR  
SUMMARY JUDGMENT  
June 28, 2022

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(None proffered.)

\* \* \* \* \*

Court Reporter's Legend:

- dashes [--] Intentional or purposeful interruption
- ... Indicates trailing off
- [ph] Denotes phonetically written
- [sic] Written as said

1                   This hearing is taken in accordance with the  
2 South Carolina Rules of Civil Procedure.

3                   THE COURT: You may be seated.

4                   MR. KAY: Your Honor, if I might, I'll go  
5 ahead and talk. This is a summary judgment motion hearing.

6                   THE COURT: Right.

7                   MR. KAY: And what I -- this is Mr. Pyatt.  
8 He represents Mr. Johnson. This one's been in default for  
9 a long time, and I think what -- they're not really  
10 disputing the summary judgment motion, but wanted some more  
11 time for him to even try to sell it or -- or be out of the  
12 property.

13                   THE COURT: Well, the sale wouldn't be until  
14 August, anyway.

15                   MR. KAY: What time was he wanting --

16                   MR. PYATT: Friday, September 30th.

17                   THE COURT: The sale wouldn't be until  
18 October.

19                   MR. KAY: October -- yeah, October 3rd sale.  
20 Now, Your Honor, if it sells in September, I know we  
21 wouldn't do an eviction before the end of the month. So I  
22 don't know unless it went to a third party. But the debt  
23 - the house is in Wildewood. The debt is over 1.3 million,  
24 so I'm not expecting a third party bid on this one.

25                   THE COURT: When is the September sale? The

1 foreclosure sale is in September?

2 MR. KAY: September? Yes. It's September  
3 6th, Your Honor. Because of Labor Day, would it be on a  
4 Tuesday?

5 THE COURT: Right.

6 MR. KAY: Okay. It would be September 6th.

7 MR. PYATT: Thank you, Judge.

8 THE COURT: Okay.

9 MR. KAY: I'll draw it up, Your Honor, and  
10 submit it.

11 THE COURT: Okay. Thank you.

12 MR. KAY: Thank you, Judge.

13 Further deponent sayeth not.

14 (There being no further questions, the  
15 deposition concluded at 10:05 a.m.)

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1 CERTIFICATE OF REPORTER  
2

3 I, PATRICIA G. BACHAND, COURT REPORTER AND NOTARY  
4 PUBLIC IN AND FOR THE STATE OF SOUTH CAROLINA AT LARGE,  
5 HEREBY CERTIFY THAT I REPORTED THE MOTION FOR SUMMARY  
6 JUDGMENT ON TUESDAY, THE 28TH DAY OF JUNE 2022, THAT THE  
7 FOREGOING 5 PAGES CONSTITUTE A TRUE AND CORRECT  
8 TRANSCRIPTION OF SAID HEARING.

9 I FURTHER CERTIFY THAT I AM NEITHER ATTORNEY NOR  
10 COUNSEL FOR, NOR RELATED TO OR EMPLOYED BY ANY OF THE  
11 PARTIES CONNECTED WITH THIS ACTION, NOR AM I FINANCIALLY  
12 INTERESTED IN SAID CAUSE.

13 I FURTHER CERTIFY THAT THE ORIGINAL OF SAID TRANSCRIPT  
14 WAS THEREAFTER SEALED BY ME AND DELIVERED TO JOHN S. KAY,  
15 ESQ., HUTCHENS LAW FIRM, LLP, POST OFFICE BOX 8237,  
16 COLUMBIA, SOUTH CAROLINA, WHO WILL RETAIN THIS SEALED  
17 ORIGINAL TRANSCRIPT AND SHALL BE RESPONSIBLE FOR FILING  
18 SAME WITH THE COURT PRIOR TO TRIAL OR ANY HEARING WHICH  
19 MIGHT RESULT IN A FINAL ORDER ON ANY ISSUE.

20 IN WITNESS WHEREOF, I HAVE SET MY HAND AND SEAL THIS  
21 17TH DAY OF AUGUST 2022.

22   
23

24 PATRICIA G. BACHAND, COURT REPORTER  
25 MY COMMISSION EXPIRES MARCH 8, 2027

HEARING PROCEEDINGS

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**FORM 7  
PROOF OF SERVICE OF A NOTICE OF  
APPEAL**

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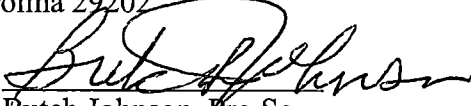
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**PROOF OF SERVICE**

I certify that I have served the initial brief by depositing a copy of it in the United States Mail, postage prepaid, on September 15, 2023, addressed to Respondent' attorney of record, John Sanford Kay, Esquire, John Brian Kelchner, Esquire, Sarah Oliver Leonard, Esquire Ashley Zarrett Stanley, Esquire, Alan Martin Stewart, Esquire, James Donald Floyd, Esquire Stephanie M Huggins, Esquire. PO Box 8237, Columbia South Carolina 29202

  
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September 15, 2023