
**THE STATE OF SOUTH CAROLINA
In The Supreme Court**

APPEAL FROM BEAUFORT COUNTY

Marvin H. Dukes, III, Master in Equity

Appellate Case No. 2023-000421

Southern First Bank..... Appellant,

v.

Kenneth J. Vilcheck, Renee M. Vilcheck, Portfolio
Recovery Associates, LLC, The Federal Housing
Commissioner, The Department of the Treasury –
Internal Revenue Service, and The South Carolina
Department of Revenue..... Respondents.

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

Appellant, Southern First Bank, by and through his undersigned counsel, hereby proposes the following to be included in the Record on Appeal:

Orders

1. Order of Reference (03.02.21)
2. Form 4 Order (07.09.21)
3. Form 4 Order Granting Strike Jury Demand (05.9.22)
4. Form 4 Order Granting Refer Foreclosure Action to Master (05.10.22)
5. Rule to Show Cause Order (05.10.22)
6. Form 4 Order Denying Motion to Reconsider (06.15.22)
7. Order Cancelling 07.25.22 Hearing, Scheduling 09.29.22 Hearing & Listing All Actions to be done (08.25.22)
8. Order Denying Respondents’ Rule 60 Motion (10.21.22)

9. Form 4 Order (11.07.22)
10. Order Joining Necessary Parties (11.07.22)
11. Court of Appeals Order Granting 2nd Motion for Extension (11.17.22)
12. Form 4 Order Denying Motion to Reconsider Joining Necessary Parties (11.22.22)
13. Court of Appeals Order Denying Motion to Stay (02.01.23)
14. Court of Appeals Order Denying Petition for Rehearing and Consideration by Full Panel (02.06.23)
15. Order Denying Motion for Judicial Sale (02.09.23)
16. Order Denying Reconsideration (02.15.23)
17. Form 4 Order Denying Motion to Establish Sales Procedures (03.09.23)

Pleadings

1. Execution on the Judgment (02.09.21)
2. Foreclosure Complaint (05.05.21)
3. Respondents' Answer and Jury Trial Demand (11.18.21)

Transcripts

1. Transcript Hearing on Motion for Judicial Sale (02.03.23)
2. Transcript Hearing on Motion for Reconsideration (02.15.23)
3. Transcript Hearing on Motion to Establish Sales Procedures (03.03.23)

Other Materials and Documents

Misc.

1. Judgement Entered Against Respondents (03.27.13)
2. Petition for Supplemental Proceedings (filed 03.05.21)
3. Petition for Supplemental Proceedings (filed 05.03.22)
4. Email Respondents' Counsel to Court (1.19.23)
5. Email Appellant Counsel to Court (1.25.23)
6. Notice of Appeal filed by Respondents for First Appeal (07.11.22)

7. Notice of Appeal filed by Respondents for Second Appeal (11.28.22)
8. Stipulation of Dismissal First Appeal (03.16.23)
9. Stipulation of Dismissal Second Appeal (03.16.23)
10. Notice of Appeal in Decarlis Case(s) 2020-001563 (11.30.20)

Motions

1. Motion for an Order of Reference
2. Motion for Judicial Sale (10.21.22)
3. Motion to Strike Jury Demand and Refer to Master (03.03.22)
4. Notice of Motion and Motion for Charging Orders (05.11.22)
5. Notice of Motions and Motion for Contempt and Sanctions (07.06.22)
6. Respondents' Motion to Stay Proceedings Filed with Lower Court (07.13.22)
7. Respondents' Motion for Relief from Rule to Show Cause and to Quash Subpoena (07.13.22)
8. Appellant's Motions Applying Defendant's Real Property to Execution and to Join Relevant Parties (10.21.22)
9. Respondents' Motion for Extension of Initial Briefing Deadline in First Appeal (10.21.22)
10. Respondents' Motion to Reconsider Denial Rule 60 Motion (10.31.22)
11. Respondents' Motion to Reconsider Order Joining Necessary Parties (11.17.22)
12. Respondents' 2nd Motion for Extension of Initial Brief Deadline in First Appeal (11.17.22)
13. Respondents' Motion to Consolidate Appeals (12.20.22)
14. Respondents' Motion to Prevent Lower Court from Proceeding with Matters Affected by Appeal (02.01.23)
15. Respondents' Petition for Rehearing and Consideration by Full Panel (02.02.23)
16. Appellant's Motion to Reconsider Order Denying Motion for Judicial Sale (02.14.23)
17. Appellant's Motion to Establish Sales Procedures for Sale of Property (02.17.23)

[signature page to follow]

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

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/s/ Joseph O. Smith

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November 1, 2023

Greenville, South Carolina

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PROOF OF SERVICE

The undersigned hereby certifies that on November 1, 2023, he served the foregoing Designation of Matters by emailing a copy to the persons below listed for opposing counsel on AIS pursuant to SCACR 262 as amended by the Supreme Court’s August 25, 2021 Order, addressed as follows:

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November 1, 2023

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