

THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

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NOV 15 2023

SC Court of Appeals

APPEAL FROM CHARLESTON COUNTY
Court of Common Pleas

The Honorable R. Keith Kelly, Circuit Court Judge
Case No. 2017-CP-10-01324

APPELLATE CASE NO. 2023-000898

Steven McLemore and Bonnie Jean Eagle as Natural Parents for the Estate of D. M.,

Plaintiffs,

vs.

Charleston County Parks and Recreation Commission d/b/a James Island County Park;
Yearround Pool Co., Inc.; SGA Architecture; South Carolina Department of Health and
Environmental Control; and John Doe and/or John Doe Corporation,

Defendants.

OF WHOM:

Bonnie Jean Eagle is Appellant

and

Charleston County Parks and Recreation Commission
d/b/a James Island County Park is

Respondent

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

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

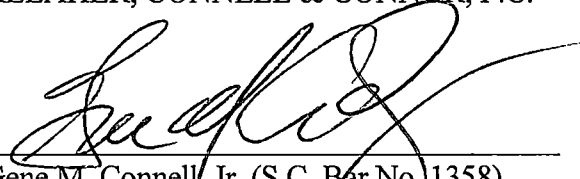
1. Order Denying Plaintiff’s Motion to Alter or Amend Judgment filed May 5, 2023.
2. Order Granting Motion to Dismiss of Charleston County Parks and Recreation Commission d/b/a James Island County Park filed March 15, 2023.
3. Transcript of Record - Motion Hearing January 23, 2023.

4. Plaintiff's Motion for Reconsideration filed March 24, 2023
5. CCPRC's Motion to Dismiss November 3, 2022
6. Order of Judge Burch Denying CCPRC's Motion to Alter/Amend April 12,2022
7. CCPRC's Motion to Alter/Amend Order Denying Motion for Summary Judgment February 21, 2022
8. Order of Judge Burch Denying CCPRC's Motion for Summary Judgment February 11, 2022
9. CCPRC's Supplemental Memo in Support of Motion for Summary Judgment December 27, 2021
10. Plaintiff Eagle's Response in Opposition to Motion for Summary Judgment November 19, 2021
11. Affidavit of Gene M. Connell, Jr. November 19, 2021
12. Affidavit of John Harrell November 23, 2021
13. CCPRC's Motion for Summary Judgment May 14, 2021
14. Order of Judge McCoy Approving Petition for Settlement of Claim for Wrongful Death and Survival Action Against DHEC March 31, 2020
15. Petition for Approval of Settlement of Claim for Wrongful Death and Survival Action Against DHEC March 26,2020
16. Full, Final and Complete Release of DHEC March 17, 2020
17. Second Amended Complaint April 16.2019

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

(Signature on following page)

KELAHER, CONNELL & CONNOR, P.C.



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November 13, 2023

Attorneys for Appellant Bonnie Jean Eagle

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Defendants.

OF WHOM:

Bonnie Jean Eagle is..... Appellant

and

Charleston County Parks and Recreation Commission
d/b/a James Island County Park is

Respondent

PROOF OF SERVICE

PERSONALLY appeared before me, Shelia Y. McCumbee, who being duly sworn, deposes and says that she is an employee of Kelaher, Connell & Connor, P.C., and that she has served a copy of **Initial Brief of Appellant and Appellant’s Designation of Matter** on the 13th day of November, 2023, by depositing a copy of same in the United States Mail, postage prepaid, to:

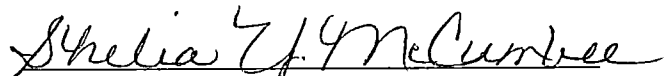
Jonathan J. Anderson, Esquire
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PO Box 12519
Columbia, SC 29211


Shelia Y. McCumbee

SWORN AND SUBSCRIBED before me,
this 13th day of November, 2023.


Notary Public for South Carolina
My Commission Expires: 3-12-24

KELAHER, CONNELL & CONNOR, P.C.

ATTORNEYS AT LAW

SUITE 209

THE COURTYARD

1500 U.S. HIGHWAY 17 NORTH

P.O. DRAWER 14547

SURFSIDE BEACH, SOUTH CAROLINA 29587

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SC Court of Appeals

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

Re: Appellate Case No. 2023-000898

Steven McLemore, Individually and as Personal Representative of the Estate of D.M. and Bonnie Jean Eagle, Individually and as natural parent of deceased minor, D.M. v. Charleston County Parks & Recreation Commission ("CCPRC") d/b/a James Island County Park; et al.; Case No: 2017-CP-10-01324
Our File No. 2020-0393C

Dear Ms. Kitchings:

Enclosed please find the following for filing in the above-captioned case: Initial Brief of Appellant; Appellant's Designation of Matter to be Included in the Record on Appeal; and Proof of Service.

Please be so kind as to return a filed copy of the Proof of Service in the self-addressed, stamped envelope provided for your convenience.

By copy of this letter, we hereby serve the above-stated documents on counsel of record .

Sincerely yours,



Gene M. Connell, Jr.

GMC,Jr.:sm
Enclosures

The Honorable Jenny Abbot Kitchings
November 13, 2023
Page 2

cc w/enc.: Jonathan J. Anderson, Esquire
Jonathan L. Anderson, Esquire
J. Camden Hodge, Esquire
Charles Logan Rollins, II, Esquire
Paul E. Sperry, Esquire
Vincent J-L Grosso, Esquire
Phillip S. Ferderigos, Esquire
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To The Honorable Jenny Abbot Kitchings
Clerk, South Carolina Court of Appeals
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