

STATE OF SOUTH CAROLINA  
In The Court of Appeals

APPEAL FROM CHESTERFIELD COUNTY  
Court of Common Pleas

J. Michael Baxley, Circuit Court Judge

Case No. 2010-CP-13-0064

AMERICAN COMMUNITY BANK, ..... Respondent,

vs.

MICHAEL R. BROWN,  
C.W. HORNE,  
SHORTT AUCTION & REALTY CO., INC.,  
BANK OF AMERICA, N.A., and  
JAGUAR PORTFOLIO, LLC

of whom  
MICHAEL R. BROWN is the ..... Appellant.

**RECEIVED**

JUL 22 2013

**SC Court of Appeals**

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DESIGNATION OF MATTER TO BE  
INCLUDED IN THE RECORD ON APPEAL


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

1. Order of the Honorable J. Michael Baxley, dated July 27, 2012, filed August 6, 2012, and received by Appellant August 18, 2012;
2. Order of the Honorable J. Michael Baxley, dated November 5, 2012, filed November 7, 2012, and received by Appellant November 27, 2012;
3. Order of the Honorable J. Michael Baxley, filed August 22, 2011;
4. Complaint filed May 4, 2010, with attachments;
5. Answer, Counterclaims and Crossclaim of BROWN filed August 16, 2010;
6. Reply of AMERICAN COMMUNITY BANK dated September 13, 2010;
7. Answer and Counterclaims to Crossclaims of BROWN by HORNE, dated September 13, 2010;
8. Reply and Answer of BROWN to Counterclaims of HORNE, filed October 19, 2010;
9. Deposition of HORNE, March 22, 2011, p.5, l.14 thru p.75, l.5, with Exhibits;

10. Deposition of Clewis, May 6, 2011, p.5, l.15 thru p.90, l.17, with Exhibits;
11. Deposition of BROWN, May 6, 2011, p.3, l.15 thru p.85, l.25, with Exhibits.
  
12. Respondent AMERICAN COMMUNITY BANK's Motion for Summary Judgment, dated May 10, 2012;
13. Appellant's Motion to Alter or Amend Judgment, filed August 21, 2012;
14. Respondent AMERICAN COMMUNITY BANK's Memorandum in Support of Motion for Summary Judgment;
15. Appellant's Memorandum in Opposition to Motion for Summary Judgment, dated July 11, 2012.

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

  
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John Martin Foster  
Post Office Box 106  
Rock Hill, SC 29731-6106  
(803) 324-8100  
Attorney for Appellant

July 18, 2013

Rock Hill, South Carolina

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of whom

MICHAEL R. BROWN is the ..... Appellant.

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PROOF OF SERVICE

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I certify that I have served the Initial Brief of Appellant and Designation of Matter to Be Included in the Record on Appeal, dated July 18, 2013, on the following counsel of record:

James W. Sheedy  
Susan E. Driscoll  
Driscoll Sheedy, P.A.  
11520 North Community House Road,  
Charlotte, N.C. 28277

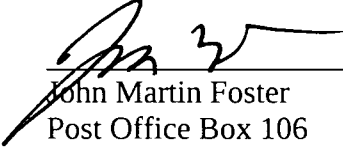
Harry R. Easterling  
Goldberg & Easterling, P.A.  
Post Office Drawer 655  
Bennettsville, SC 29512-0655

by depositing the same with the United States mail, with sufficient first class postage attached, properly addressed to the clerk of the Court, and with a copy also directed to the respective last known addressees) of those attorney(s) and/or persons set out below; or

by hand delivering copies of the same to the following persons, or by leaving the same at that person's office with that person's clerk or some other person in charge thereof, or by leaving it in a conspicuous place therein; of if the office was closed or the person to be served has no

office, by leaving a copy at that person's dwelling place or usual place of abode with some person of suitable age and discretion then residing therein, all pursuant to Rule 233(b), S.C.A.C.R.

July 18, 2013



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John Martin Foster  
Post Office Box 106  
Rock Hill, South Carolina 29731-6106  
(803) 324-8100  
Attorney for Appellant