

THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

APPEAL FROM Horry COUNTY
ALAN D. CLEMMONS, MASTER-IN-EQUITY

Appellate Case No. 2023-001416
Lower Court Case No. 2021-CP-26-00252

RECEIVED
DEC 27 2023
SC Court of Appeals

United States of America acting through the
Rural Housing Service or successor agency,
United States Department of Agriculture, Appellant

v.

Ginger S. Smith, As Personal Representative of
The Estate of Yvonne Curtis Ingram, Deceased;
Charles Curtis Ingram; Chadwick Benjamin Ingram,
and any other Heirs-at-Law or devisees of Yvonne Curtis Ingram,
deceased, their heirs, Personal Representatives,
Administrators, Successors and Assigns, and
all other persons entitled to claim through them;
all unknown persons with any right, title or interest
in the property subject of this matter;
also any persons who may be in the military service of the
United States of America, being a class
designated as John Doe; and any unknown minors
or persons under a disability being a class
designated as Richard Roe..... Respondents

**APPELLANT UNITED STATES OF AMERICA ACTING THROUGH THE RURAL
HOUSING SERVICE OR SUCCESSOR AGENCY, UNITED STATES DEPARTMENT
OF AGRICULTURE'S DESIGNATION OF MATTER TO BE INCLUDED ON APPEAL**

Pursuant to Rule 209, SCACR, Appellant proposes the following be included in the Record on Appeal. Unless otherwise stated, all items designated include exhibits and exclude proof of service, cover sheets, motion forms and notices. Appellant reserves the right to include additional designations.

ORDERS

1. Judgment of Foreclosure and Order for Sale filed June 2, 2023.
2. Order Denying Motion to Reconsider, Alter or Amend filed September 8, 2023.

PLEADINGS

1. Lis Pendens filed October 28, 2020.
2. Amended Lis Pendens filed January 14, 2021.
3. Notice of Right to Foreclosure Intervention filed January 14, 2021.
4. Summons and Complaint with exhibits filed January 14, 2021.
5. Certificate of Complaint with the Coronavirus Aid, Relief and Economic Security Act filed January 14, 2021.
6. The Affidavit of Service for Ginger S. Smith as Personal Representative of the Estate of Yvonne Curtis Ingram filed February 11, 2021.
7. Affidavit of Service for Chadwick Benjamin Ingram filed February 11, 2021.
8. Affidavit of Publication for service upon Charles Curtis Ingram filed on June 14, 2021.
9. Certificate of Compliance with Administrative Order 2011-05-2-01 filed February 10, 2022.
10. Affidavit of Default as to Ginger S. Smith as Personal Representative of the Estate of Yvonne Curtis Ingram, Charles Curtis Ingram, and Chadwick Benjamin Ingram filed February 10, 2022.
11. Affidavit of Non-Military Service filed February 10, 2022.
12. Order of Reference filed February 16, 2022.
13. Notice of Hearing filed February 25, 2022.

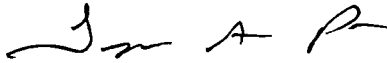
14. Order to Amend Pleadings filed November 3, 2022
15. Amended Summons and Complaint filed November 8, 2022.
16. Amended Notice of Foreclosure Intervention filed November 8, 2022.
17. Second Amended Lis Pendens filed November 8, 2022.
18. The Certificate of Service of amended pleadings for Ginger S. Smith as Personal Representative of the Estate of Yvonne Curtis Ingram, Charles Curtis Ingram, and Chadwick Benjamin Ingram, filed November 9, 2022.
19. Motion to Appoint Guardian ad Litem for all unknown persons with any right, title or interest in the property subject of this matter; also any persons who may be in the military service of the United States of America, being a class designated as John Doe; and any unknown minors or persons under a disability being a class designated as Richard Roe filed January 25, 2023.
20. Answer of Guardian Ad Litem filed February 27, 2023.
21. Affidavit of Publication for service upon any other Heirs-at-Law or Devisees of Yvonne Curtis Ingram, deceased, their heirs, Personal Representatives, Administrators, Successors and Assigns, and all other persons entitled to claim through them; all unknown persons with any right, title or interest in the property subject of this matter; also any persons who may be in the military service of the United States of America, being a class designated as John Doe; and any unknown minors or persons under a disability being a class designated as Richard Roe filed on March 14, 2023.
22. Notice of Hearing and Service filed April 18, 2023.
23. Affidavit of Attorney Fees filed May 15, 2023
24. Notice of Hearing and Service filed April 18, 2023.

25. Affidavit of Attorney fees filed May 15, 2023.
26. Foreclosure Exhibits filed May 15, 2023.
27. Guardian Ad Litem Report filed May 15, 2023.
28. Record of Hearing filed June 2, 2023.
29. Motion to Reconsider filed June 12, 2023.
30. Memorandum in Support of Motion to Reconsider filed June 30, 2023.

TRANSCRIPTS

1. Webex video file of hearing held May 16, 2023 at 10:00 a.m.
2. Audio Transcription of Hearing before Judge Alan Clemmons of hearing held May 16, 2023 at 10:00 a.m.
3. Record of Hearing filed June 2, 2023.

HARRELL, MARTIN & PEACE, P.A.



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Attorneys for Appellant United
States of America acting through the
Rural Housing Service or successor agency,
United States Department of Agriculture

December 20, 2023
Chapin, South Carolina

THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

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APPEAL FROM HORRY COUNTY
ALAN D. CLEMMONS, MASTER-IN-EQUITY SC Court of Appeals

Appellate Case No. 2023-001419
Lower Court Case No. 2021-CP-26-00144

United States of America acting through the
Rural Housing Service or successor agency,
United States Department of Agriculture, Appellant

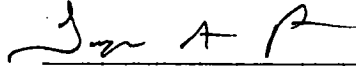
v.

Ginger S. Smith, As Personal Representative of
The Estate of Yvonne Curtis Ingram, Deceased;
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and any other Heirs-at-Law or Devisees of Yvonne Curtis Ingram,
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in the property subject of this matter;
also any persons who may be in the military service of the
United States of America, being a class
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or persons under a disability being a class
designated as Richard Roe..... Respondents

APPELLANT UNITED STATES OF AMERICA ACTING THROUGH THE RURAL
HOUSING SERVICE OR SUCCESSOR AGENCY, UNITED STATES DEPARTMENT
OF AGRICULTURE'S CERTIFICATE OF COUNSEL REGARDING DESIGNATION
TO MATTER TO BE INCLUDED ON APPEAL

The undersigned counsel certifies that Appellant's Designation of Matter to Be Included on Appeal complies with Rule 209(c), SCACR, and contains no matter irrelevant to the appeal.

HARRELL, MARTIN & PEACE, P.A.



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ATTORNEYS FOR APPELLANT

December 20, 2023

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SC Court of Appeals

**THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS**

**APPEAL FROM HORRY COUNTY
ALAN D. CLEMMONS, MASTER-IN-EQUITY**

**Appellate Case No. 2023-001419
Lower Court Case No. 2021-CP-26-00144**

United States of America acting through the
Rural Housing Service or successor agency,
United States Department of Agriculture, Appellant

v.

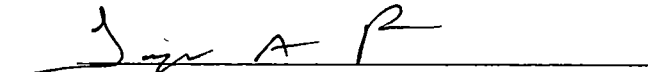
Ginger S. Smith, As Personal Representative of
The Estate of Yvonne Curtis Ingram, Deceased;
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deceased, their heirs, Personal Representatives,
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also any persons who may be in the military service of the
United States of America, being a class
designated as John Doe; and any unknown minors
or persons under a disability being a class
designated as Richard Roe..... Respondents

PROOF OF SERVICE

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I certify that I have served the Initial Brief of Appellant United States of America Acting through the Rural Housing Service or Successor Agency, United States Department Of Agriculture And Designation Of Matter to be Included on Appeal by depositing a copy of it in the United States Mail, postage prepaid on December 19, 2023, addressed to the court appointed guardian *ad litem* for Respondents all unknown persons with any right, title or interest in the property subject of this matter; also any persons who may be in the military service of the United States of America, being a class designated as John Doe; and any unknown minors or persons under a disability being a class designated as Richard Roe, Thomas D. Kilpatrick, Esq., Murphy & Kilpatrick, LLP at 2512 Devine Street, Columbia, South Carolina 29205, Respondent Ginger S. Smith, as Personal Representative of the Estate of Yvonne Curtis Ingram, deceased, at 288 W. Eleventh Street, Winnsboro, South Carolina 29180, Respondent Charles Curtis Ingram at 507 Sims Drive, Myrtle Beach, South Carolina 29577, Respondent Chadwick Benjamin Ingram at 6443 Sevierville Pike, Knoxville, Tennessee 37920, and Respondent Any other Heirs-at-Law or Devisees of Yvonne Curtis Ingram, deceased, their heirs, Personal Representatives, Administrators, Successors and Assigns, and all other persons entitled to claim through them at 507 Sims Drive Myrtle Beach, South Carolina 29577.

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December 20, 2023
Chapin, South Carolina



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Robert W. Dibble, Jr. *
William Jennings (Bill) Buchanan *
Donald W. Tyler *
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*Of Counsel

**Certified Mediator/Arbitrator

December 20, 2023

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VIA EMAIL AND REGULAR, FIRST CLASS MAIL

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

DEC 27 2023

SC Court of Appeals

Re: United States of America, et al. v. Ginger S. Smith, et al.
C/A No.: 2023-001416
Our File No: 2518.28507/TAP

Dear Ms. Kitchings:

Enclosed for filing please find the Appellant's Initial Brief and Appellant's Designation of Matter for the above referenced case.

By copy of this letter and as evidenced by the Proof of Service, these filings have been served upon counsel and the remaining Respondents in this matter.

Thank you for your time and attention in this matter. If you have any questions, please do not hesitate to contact our office at the phone number below.

Sincerely,

HARRELL, MARTIN & PEACE, P.A.


Tracy Slice Moore

Paralegal to Taylor A. Peace, Esq.

/tsm
Enclosures

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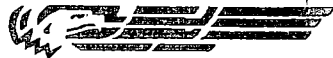
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The Honorable Jenny Abbott Kitchings
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