

RECEIVED

Jan 12 2024

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM CHARLESTON COUNTY

Court of Common Pleas

Honorable Mikell R. Scarborough, Master-in-Equity

Appellate Case No. 2023-001200
Civil Action No. 2020-CP-10-04714

William Gorham and Rosalee Gregg Smalls, Plaintiffs,

v.

Alan Gregg, Victoria Manigault, Mary Frances Gregg Steed, Dorothy Gregg Horlbeck, Robert Leroy Gregg, Franklin Gregg, Michael Gregg, Agnes Gregg (daughter of Jesse Gregg), Joanne Gregg (daughter of Jesse Gregg), Murray Chavis, John Doe and Jane Doe, as fictitious names for a class of unknown heirs, devisees, distributees, administrators, or personal representatives of deceased persons Harriet Gregg, Leroy Gregg, Henrietta Fishburn, Agnes Gregg Washington, Jessse "Eddie" Gregg, James Gregg, Leory Gregg, Jr., Agnes A. Gregg, Jesse Gregg, Robert Gregg, and all other persons known or appear of record to have some right, title, interest in, or lien upon the real estate described in the complaint herein, Defendants.

Of whom William Gorham is the Appellant and Robert Leroy Gregg is the Respondent.

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

Pursuant to Rule 209, SCACR, Respondent proposes the following to be included in the Record on Appeal:

1. Appellant/Plaintiff's Complaint filed on October 27, 2020;
2. Consent Order to Amend Complaint filed on February 25, 2021;

3. Appellant/Plaintiff's Amended Complaint filed on March 24, 2021
4. Respondent/Defendant's Answer and Counterclaim filed on March 25, 2021;
5. Appellant/Plaintiff's Reply to Counterclaim filed on April 21, 2021;
6. Consent Order of Reference filed on September 16, 2022;
7. Transcript of Hearing held on February 21, 2023 before Master-in-Equity;
8. Appellant/Plaintiff's Family Tree Worksheet filed on April 5, 2023;
9. Quiet Title Order issued by Master-in-Equity on July 26 2023;
10. Notice of Appeal filed on July 27, 2023;
11. Respondent/Defendant's Letter with List of Exhibits Introduced at Hearing held on February 21, 2023;
12. Respondent/Defendant's Trial Exhibit 1: Family Tree
13. Respondent/Defendant's Trial Exhibit 2: Portion of Charleston County Tax Map showing TMS Parcels 560-00-00-015, 560-00-00-051 and 560-00-00-052;
14. Respondent/Defendant's Trial Exhibit 4A: Copy of survey prepared by George A. Z. Johnson, Jr., Inc. Land Surveyors entitled "PLAT SHOWING THE COMBINATION OF A 2.723 ACRE AND A 1.832 ACRE TRACT OF LAND AND RESUBDIVIDE TO FORM LOTS 1 THRU 4 LOCATED ON VENNING ROAD CHRIST CHURCH PARISH CHARLESTON COUNTY, SOUTH CAROLINA" dated February 19, 1997 and recorded in the ROD Office for Charleston County in Plat Book EB, page 772;
15. Respondent/Defendant's Trial Exhibit 4B: Copy of deed from Matilda Venning to Harriett Gregg dated and recorded March 25, 1948 in Book E49, page 131, in the ROD Office for Charleston County;
16. Respondent/Defendant's Trial Exhibit 5: Copy of confirmatory deed from Matilda Venning to Harriet Gregg dated January 29, 1951 and recorded April 11, 1951 in Book S53, page 67, in the ROD Office for Charleston County;
17. Respondent/Defendant's Trial Exhibit 6: Copy of deed from Henrietta Fishburn, Leroy Gregg, Jr., Jesse E. Gregg, Victoria G. Manigault and Rosa Lee Gregg to

Robert Gregg dated July 22, 1976 and recorded May 5, 1978 in Book S115, page 325, in the ROD Office for Charleston County;

18. Respondent/Defendant's Trial Exhibit 7: Copy of deed from Louise Gregg, Mary Frances Steed, Dorothy Horlbeck, Fanny Murray and Thelma Myers to Robert Gregg dated August 25, 1976 and recorded May 5, 1978 in Book T115, page 1, in the ROD Office for Charleston County;
19. Respondent/Defendant's Trial Exhibit 8: Copy of deed from Allen Gregg to Robert Gregg dated October 26, 1976 and recorded May 5, 1978 in Book S115, page 326, in the ROD Office for Charleston County;
20. Respondent/Defendant's Trial Exhibit 11: Copy of deed from Robert Gregg to Robert Leroy Gregg dated November 14, 2018 and recorded November 31, 2018 in Book 0762, page 082, in the ROD Office for Charleston County;
21. Respondent/Defendant's Trial Exhibit 12: Copy of clocked-in deed from Frankie James Gregg to Robert Leroy Gregg dated February 16, 2023 and recorded February 17, 2023 in Book 1164, page 278, in the ROD Office for Charleston County;
22. Respondent/Defendant's Trial Exhibit 14: Copy of Agreement between Rosalee Gregg Smalls and Robert Leroy Gregg;
23. Respondent/Defendant's Trial Exhibit 16: Copy of letter of opinion of value by Thomas F. Hartnett, Jr. dated February 18, 2023; and
24. Transcript of Hearing held on May 22, 2023 before Master-in-Equity.

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

s/Barry I. Baker
BAKER & VARNER, LLC
Barry I. Baker, Esquire (Bar No. 482)
bbaker@bakerlawsc.com
Post Office Box 31265
Charleston, SC 29417-1265
Office: (843) 766-9007
Fax: (843) 766-1295

-and-

Dated: January 12, 2024

s/Kyle T. Varner
BAKER & VARNER, LLC
Kyle T. Varner, Esquire (Bar No. 77847)
kvarner@bakerlawsc.com
Post Office Box 31265
Charleston, SC 29417-1265
Office: (843) 766-9007
Fax: (843) 766-1295

Attorneys for Respondent