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SC Court of Appeals

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

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Appeal from the Court of Common Pleas  
For Charleston County  
Honorable Mikell R. Scarborough, Master-In-Equity  
Civil Action No.: 2022-CP-10-03492  
**Appellate Case No.: 2023-001086**

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*Ex parte:* DeWayne Alphonza Sikes,

Appellant,

*In re:*

PVOne REO, LLC,

Respondent.

v.

The Estate of Mary A. White; Heirs-at-Law of Mary A. White; unknown Heirs-at-Law or devisees of Mary A. White, Deceased; their Heirs, Personal Representatives, Administrators, Successors, and Assigns, and all other persons entitled to claim through them; all unknown owners, unknown heirs or unknown devisees of any deceased person, or by any such designation; and John Doe and Mary Roe, representing all unknown persons having or claiming to have any right, title, or interest in or to, or lien upon, the real estate described as 1959 Jacksonville Road, Charleston County, South Carolina PIN 466-03-00-154, their heirs and assigns, and all other persons, firms, or corporations entitled to claim under, by or through the above-named Defendant(s), and all other persons or entities unknown claiming any right, title interest, estate in, or lien upon, the real estate described as 1959 Jacksonville Road, Charleston County, South Carolina, PIN 466-03-00-154,

Defendants.

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

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Stephen P. Groves, Sr., Esquire  
S.C. Bar No.: 007854  
*BUTLER SNOW LLP*  
25 Calhoun Street, Suite 250  
Charleston, South Carolina 29401  
Telephone: 843.277.3704  
Telecopier: 843.277.3701  
E-Mail: [Stephen.Groves@butlersnow.com](mailto:Stephen.Groves@butlersnow.com)

John J. Dodds, III, Esquire  
S.C. Bar No.: 001707  
*CISA & DODDS*  
858 Lowcountry Boulevard, Suite 101  
Mount Pleasant, South Carolina 29464  
Telephone: 843.881.6530  
E-Mail: [john@cisadodds.com](mailto:john@cisadodds.com)

*Attorneys for the Respondent,  
PVOne REO, LLC*

TO: THE HONORABLE JUDGES OF THE SOUTH CAROLINA COURT OF APPEALS:

COMES NOW the Respondent, PVOne REO, LLC (“PVOne REO”), pursuant to Rule 209 of the South Carolina Appellate Court Rules, and hereby designates such additional the parts of the transcripts, orders, pleadings, affidavits, exhibits, and/or other materials which PVOne REO it proposes to include In the Record on Appeal which may not as yet have been previously designated for inclusion by the Appellant, DeWayne Alphonza Sykes:

### **ORDERS**

1. **Master’s Order (Denying Motion to Intervene and Motion to Vacate)**, issued by the Honorable Mikell R. Scarborough, Master-In-Equity for Charleston County, dated and filed 21 June 2023;
2. **Consent Motion and Order Substituting Counsel for [PVOne REO, LLC]** issued by the Honorable Mikell R. Scarborough, Master-In-Equity for Charleston County, dated 28 February 2023, and filed on 2 March 2023;
3. **Final Order (Action to Quite Tax Title) (Reference with Finality)**, issued by the Honorable Mikell R. Scarborough, Master-In-Equity for Charleston County, dated and filed 12 January 2023;
4. **Order of Reference** issued by the Honorable Julie J. Armstrong, Charleston County Clerk of Court, dated and filed on 26 September 2022,
5. **Order Appointing Guardian *ad Litem Nisi* and Order for Service by Publication** issued by the Honorable Julie J. Armstrong, Charleston County Clerk of Court, dated 8 August 2022, and filed on 9 August 2022;

### **PLEADINGS**

1. **Notice of Lis Pendens (Non-Jury)** dated and filed 3 August 2022;
2. **Summons and Complaint** dated and filed on 3 August 2022;
3. **Motion to Appoint Guardian *ad Litem Nisi* and for an Order of Service by Publication** dated and filed 9 August 2022;

- 4     **Notice of Order Appointing Guardian *ad Litem Nisi*** dated and filed 9 August 2022;
- 5     **Consent to Act as Guardian *ad Litem Nisi*** dated 8 August 2022, and filed 9 August 2022;
- 6     **Stipulation and Consent to Reference** dated 8 August 2022, and filed 9 August 2022;
- 7     **Answer, Consent to Reference, and Consent for Video/Teleconference Hearing for John Doe and Mary Roe and Any Unknown Heirs of the Estate of Mary A. White (Collectively Referred to as Unknown Defendants)** dated and filed 11 August 2022;
- 8     **Affidavit of Publication from *The Post and Courier*** sworn to on 26 August 2022 and filed on 12 September 2023;
- 9     **Motion for an Order of Reference** dated and filed 26 September 2022;
- 10    **Notice of Hearing** dated and filed 20 December 2022;
- 11    **Affidavit of Guardian *ad Litem Nisi* for Unknown Defendants (John Doe and Mary Roe) Including Unknown Heirs of the Estate of Mary A. White** sworn to on 20 December 2022, and filed on 20 December 2022 (with attached exhibit):
- Exhibit A*     **Letter to Estate of Mary A. White from Kelly Y. Woody, Esquire** dated 16 August 2022;
- 12    **Exhibit List for Final Hearing** filed on 10 January 2023:
- Exhibit 1*     **Charleston County Tax Deed from Charleston County Delinquent Tax Collector to PVOne REO, LLC** dated 18 March 2022 and recorded in Book 1098 at Page 183 on 7 April 2022;
- Exhibit 2*     **Quit Claim Deed from Lucreita B. Lucado to Mary A. White** dated 20 April 1981 and recorded in Book E125 at Page 36 on 20 April 1981;

*Exhibit 3*     **Affidavit of Edrian J. Trakas** sworn to on 30 December 2022 (with attached exhibits):

*Exhibit A*     **Execution Notice to Mary A. White from Charleston County Delinquent Tax Office** dated 19 June 2020 (addressed to Mary A. White at 1953 Jacksonville Road, North Charleston, South Carolina);

*Exhibit B*     **Official Notice of Levy and Public Tax Sale to Mary A. White from Charleston County Delinquent Tax Collector** dated 23 July 2022 (addressed to Mary A. White at 1953 Jacksonville Road, North Charleston, South Carolina);

*Exhibit C*     **Charleston County Delinquent Tax Sale notice of levy and seizure of 1959 Jacksonville Road by Tax Collector of Charleston County** (red notice posted on porch pillar of 1959 Jacksonville Road on 22 October 2022);

*Exhibit D*     **Delinquent Tax Sale Notice as posted in The Post and Courier** on 28 October 2022, 4 November 2022, and 11 November 2022;

*Exhibit E*     **Final Notice of Property Redemption notice to Mary A. White or (if deceased), Heirs of Same** dated 11 October 2022 (listing delinquent tax address on 1959 Jacksonville Road) (addressed to Mary A. White or, if deceased, Heirs of Same at 1953 Jacksonville Road, North Charleston, South Carolina);

13     **Additional Exhibit for Final Hearing** listing filed 12 January 2023:

*Exhibit 4.*     **Letter to Mark Lehrer at Pine Valley One Real Estate, LLC from DeWayne Sykes** dated 5 April 2022;

- 14 **Motion to Intervene and Motion to Vacate** filed on 31 January 2023 (with attachments):

*Exhibit A* **Last Will and Testament of Frank White, Sr.** dated 20 June 1973;

*Exhibit B* **Transcript of Reference in Mary A. White, et al. v. Monday Green, et. al** (Charleston County Court of Common Pleas Civil Action No. 79-CP-10-2289);

- 15 **Certificate of Mailing Affidavit of Harvey M. Dick, II** sworn to on 28 March 2023 (Mailing notice of motions hearing on DeWayne Alphonza Sykes);

### **TRIAL OR HEARING TRANSCRIPTS**

1. **Transcript of Motions Hearing held before the Honorable Mikell R. Scarborough, Master-In-Equity for Charleston County**, on 13 April 2023:

Pages 1 through 22.

### **HEARING EXHIBITS**

1. **Exhibits Submitted by DeWayne A. Sykes:**

1. **Last Will and Testament of Frank White, Sr.** dated 20 June 1973;

2. **Devise/Descent of Real Estate in the Estate of Frank White, Sr., Case No 73-559**, dated October 1973, and reflecting Mary Ancrum White, widow of Frank White, Sr., a life estate, and Frank White, Jr., William Timothy White, Clinton White, and Dewayne Alphonza White, remainder in fee simple, as to the property at 1953 Jacksonville Road, North Charleston, SC and also the property which lies adjacent to and immediately to the rear of 1953 Jacksonville Road;

3. **Petition To Prove Will In Common Form Of Law And For Letters** (undated) concerning the Estate of Frank White, Sr.;

4. **Probate Court Order** dated 10 May 1974 dismissing Mary Ancrum White as Executrix of Estate of Frank White, Sr.;

5. **Certificate of Death for Frank White, Sr.** (undated);

6. **William T. White's Application for Appointment [as Executor/Personal Representative] for the Estate of Mary Ancrum White**, 96-ES-10-01600 (undated);
  7. **Listing of Heirs to Estate of Mary . White** (appears to be dated 28 April 1987);
  8. **Probate Court Form Exhibit A for Schedule A** stating Mary A. White had a 100% ownership interest in four separate properties, including Lot Y, Jacksonville Road, TMS No. 466-03-00-154 [1959 Jacksonville Road, North Charleston, SC 29405; and\
  9. **Certificate of Death of Mary Ancrum White** dated 4 December 1996.
2. **Exhibits Submitted by PVOne REO, LLC:**
1. **Deed from Frank White to Ida Gadsden**, dated 5 August 1939 and recorded in the Office of the Register of Deeds for Charleston County on 8 August 1939, in Book O-40, at Page 739;
  2. **Quit Claim Deed from Mary A. White to Lucreita B. Lucado**, dated 6 April 1981, recorded in the Office of the Register of Deeds for Charleston County on 6 April 1981, in Book B-125, at Page 221;
  3. **Quit Claim Deed from Lucreita B. Lucado to Mary A. White**, dated 20 April 1981, recorded in the Office of the Register of Deeds for Charleston County on 20 April 1981, in Book E-125, at Page 036.
  4. **Quit Claim Deed from Clinton White, Dewayne A. White, and William Timothy White to Mary A. White** dated 15 May 1989, recorded in the Office of the Register of Deeds for Charleston County on 30 May 1989 in Book T184, at Page 216.

I, Stephen P. Groves, Sr, Esquire, hereby certify pursuant to Rule 209(c), SCACR, the *Designation of Matter to be Included in the Record on Appeal* submitted by the Respondent, PVOne REO, LLC, does not contain any matter and/or items which are not relevant to this appeal

Respectfully submitted:

*BUTLER SNOW LLP*

By: *Stephen P. Groves, Sr.*

Stephen P. Groves, Sr., Esquire  
S.C. Bar No.: 007854  
25 Calhoun Street, Suite 250  
Charleston, South Carolina 29401  
Telephone: 843.277.3704  
Telecopier: 843.277.3701  
E-Mail: [Stephen.Groves@butlersnow.com](mailto:Stephen.Groves@butlersnow.com)

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858 Lowcountry Boulevard, Suite 101  
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Telephone: 843.881.6530  
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*Attorneys for the Respondent,  
PVOne REO, LLC*

Charleston, South Carolina

2 April 2024

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Appeal from the Court of Common Pleas  
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**Appellate Case No.: 2023-001086**

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*Ex parte:* DeWayne Alphonza Sikes,

Appellant,

*In re:*

PVOne REO, LLC,

Respondent.

v.

The Estate of Mary A. White; Heirs-at-Law of Mary A. White; unknown Heirs-at-Law or devisees of Mary A. White, Deceased; their Heirs, Personal Representatives, Administrators, Successors, and Assigns, and all other persons entitled to claim through them; all unknown owners, unknown heirs or unknown devisees of any deceased person, or by any such designation; and John Doe and Mary Roe, representing all unknown persons having or claiming to have any right, title, or interest in or to, or lien upon, the real estate described as 1959 Jacksonville Road, Charleston County, South Carolina PIN 466-03-00-154, their heirs and assigns, and all other persons, firms, or corporations entitled to claim under, by or through the above-named Defendant(s), and all other persons or entities unknown claiming any right, title interest, estate in, or lien upon, the real estate described as 1959 Jacksonville Road, Charleston County, South Carolina, PIN 466-03-00-154,

Defendants.

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**PROOF OF SERVICE FOR  
DESIGNATION OF MATTER TO BE INCLUDED  
IN THE RECORD ON APPEAL**

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Stephen P. Groves, Sr., Esquire  
S.C. Bar No.: 007854  
*BUTLER SNOW LLP*  
25 Calhoun Street, Suite 250  
Charleston, South Carolina 29401  
Telephone: 843.277.3704  
Telecopier: 843.277.3701  
E-Mail: [Stephen.Groves@butlersnow.com](mailto:Stephen.Groves@butlersnow.com)

John J. Dodds, III, Esquire  
S.C. Bar No.: 001707  
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858 Lowcountry Boulevard, Suite 101  
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Telephone: 843.881.6530  
E-Mail: [john@cisadodds.com](mailto:john@cisadodds.com)

*Attorneys for the Respondent,  
PVOne REO, LLC*

I, Stephen P. Groves, Sr., Esquire, hereby certify that on **2 April 2024**, I served a copy of the **Designation of Matter to be Included in the Record on Appeal** submitted by the Respondent, PVOne REO, LLC, on the *pro se* Appellant, Mr. DeWayne A Sykes via the U.S. Mail (*Certified Mail, Return Receipt Requested*) and addressed as follows, as well as via e-mail:

Mr. DeWayne A. Sykes  
1953 Jacksonville Road  
North Charleston, South Carolina 29405  
E-Mail: [Mrsykes79@gmail.com](mailto:Mrsykes79@gmail.com)

*Appearing Pro Se for Himself*

A copy of the **Designation of Matter to be Included in the Record on Appeal** was also sent on **2 April 2024**, to Kelly Y. Woody, Esquire, by U.S. Mail and addressed as follows, as well as by e-mail:

Kelley Yarborough Woody, Esquire  
**KELLY Y. WOODY, ATTORNEY AT LAW, LLC**  
Post Office Box 6432  
Columbia, South Carolina 29260  
E-Mail: [kwoody@kelleywoody.com](mailto:kwoody@kelleywoody.com)

*Attorney for the Estate of Mary White  
and the Unknown Defendants*

Signed: **Stephen P. Groves, Sr.**  
Stephen P. Groves, Sr.

Charleston, South Carolina

2 April 2024  
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