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Apr 12 2024

SC Court of Appeals

IN THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM GREENVILLE
COUNTY CIRCUIT COURT

G. D. Morgan, Jr., Circuit Court Judge

Perry H. Gravely, Circuit Court Judge

Circuit Court Case No. 2020-CP-23-01450
Appellate Case No. 2022-001432

Michael Gene Putnam.....Appellant,

v.

Robert Henry Purkerson.....Respondent.

SECOND AMENDED DESIGNATION OF MATTER TO BE INCLUDED ON APPEAL

Pursuant to the Court of Appeal’s order dated April 4, 2024, Appellant proposes the following to be included in the consolidated Record on Appeal.

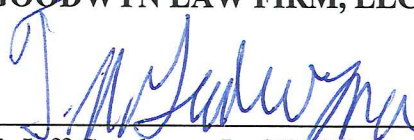
1. Order denying Purkerson’s Motion for Summary judgment dated June 25, 2020.
2. Form 4 Order granting Purkerson’s Renewed Motion for Summary Judgment dated July 8, 2022
3. Order granting Purkerson’s Renewed Motion for Summary Judgment dated August 17, 2022.
4. Appellant’s Motion to Reconsider dated July 25, 2022.
5. Appellant’s Motion to Reconsider dated August 29, 2022.

6. Order denying Appellant's Motion to Reconsider August 17, 2022 Order dated September 8, 2022.
7. Appellant's Notice of Appeal dated October 11, 2022.
8. Appellant's Summons and Complaint.
9. Appellant's Amended Summons and Complaint.
10. Purkerson's Motion for Summary Judgment filed June 7, 2021.
11. Denial of Purkerson's Motion for Summary Judgment dated July 27, 2021.
12. Transcript of Summary Judgment Motion Hearing dated June 21, 2022.
13. Purkerson's Renewed Motion for Summary Judgment dated April 19, 2022 with memorandum in support dated June 14, 2022.
14. Appellant's Brief in Response to Purkerson's Motion for Summary Judgment including all exhibits and attachments.
15. Purkerson's December 22, 2021 filing of his motion to compel with exhibits.
16. Michael Gene Putnam's Affidavit in Opposition to Purkerson's Motion for Summary Judgment filed June 17, 2022.
17. Public Index listing for this case showing all filings in case.
18. November 15, 2021 Transcript of hearing.
19. Transcript of hearing on Motion for Summary Judgment and for Discovery Sanctions dated May 12, 2021.
20. Transcript of hearing dated June 21, 2022.
21. Voicemail recording of Purkerson leaving message with Putnam with woman in background dated 5/16/22.
22. Email dated 9/1/15.

23. Email dated 10/28/17 at 5:33 p.m.
24. Email dated 10/29/17 at 8:58 a.m.
25. Motion to Amend Compliant filed July 24, 2020 including exhibits.
26. Motion to Amend Pending Leave to Amend dated March 2, 2022.

Pursuant to Rule 209(c), SCACR, I certify that this Designation contains no matter which is irrelevant to the appeal.

GOODWYN LAW FIRM, LLC



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Attorneys for Appellant

Columbia, South Carolina
April 12, 2024

The South Carolina Court of Appeals

Michael Gene Putnam, Appellant,

v.

Robert Henry Purkerson, Respondent.

Appellate Case No. 2022-001432

ORDER

On June 6, 2023, this court granted Respondent's motion to strike and ordered Appellant to file an amended initial brief and designation of matter. Appellant subsequently filed an amended initial brief and designation of matter. Respondent filed a second motion to strike because Appellant omitted a previously designated matter and designated new matter. Appellant filed a return, arguing he was allowed to "freely modify his designation" in light of the order granting the previous motion to strike. In the alternative, Appellant moved this court to allow him to supplement his designation of matter. After careful consideration, we grant Respondent's motion to include previously designated item 16 in the record on appeal and strike items 10, 11, and 27 from the record on appeal. However, we construe Appellant's return to the motion to strike as a motion to amend his designation of matter to include items 10, 11, and 27, and we grant the motion to amend to include items 10 and 11. We deny Appellant's motion to include item 27 as that matter was not presented to the circuit court. *See* Rule 210(c), SCACR (explaining the record shall not include matter which was not presented to the lower court). Within ten days of the date of this order, Appellant shall file a second amended designation of matter that includes previously designated item 16 and newly designated items 10 and 11.



FOR THE COURT

Columbia, South Carolina

FILED
Apr 04 2024

cc:

Thomas Jefferson Goodwyn, Jr., Esquire

Charles Grant Blackburn, Esquire

Langdon Cheves, III, Esquire

Laura C. Tesh, Esquire

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Case No. 2020-CP-23-01450
Appellant Case No.: 2022-001432

Michael Gene Putnam.....Appellant,

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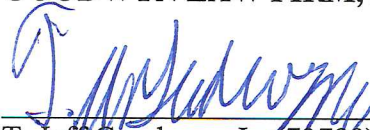
PROOF OF SERVICE

I certify that I have served a copy of the Appellant’s Second Amended Designation of Matter to be Included on Appeal on counsel for Respondent at the address below via email as shown, on April 12, 2024.

Langdon Cheves, Esquire
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SIGNATURE TO FOLLOW ON NEXT PAGE

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April 12, 2024

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*Also Licensed in Georgia
† Certified Circuit Court Mediator
** Of Counsel

April 12, 2024

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SC Court of Appeals

VIA E-FILING – ctappfilings@sccourts.org
The Honorable Jenny Abbott Kitchings
Clerk of Court, South Carolina Court of Appeals
P.O. Box 11629
Columbia, SC 29211

RE: *Michael Gene Putnam v. Robert Henry Purkerson*
Appellate Case No.: 2022-001432
Our File No.: 3000-0743

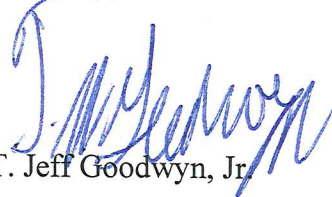
Dear Ms. Kitchings:

Enclosed for filing, please find the **Second Amended Designation of Matter to be Included on Appeal** along with a Proof of Service in regards to the above referenced matter. Please return a filed copy of same to me via email.

As evidenced in the Proof of Service, I have served all interested parties with a copy.

Thank you for your attention to this matter and should you have any questions, please do not hesitate to contact me.

Sincerely,



T. Jeff Goodwyn, Jr.

TJG:cnc

Enclosures

cc: Langdon Cheves, III, Esquire
Laura C. Tesh, Esquire
Michael Putnam
(all via email)