

**RECEIVED**

**Jun 10 2024**

**SC Court of Appeals**

**THE STATE OF SOUTH CAROLINA**  
In the Court of Appeals

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APPEAL FROM MARION COUNTY  
Court of Common Pleas  
H. Steven DeBerry, IV, Circuit Court Judge

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Appellate Case No.: 2024-000444  
Case No.: 2023-CP-33-00472

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Angela D. Young, as Personal Representative for the Estate of Chellie Nixon .....Appellant,

v.

Carolyn Johnson, as Personal Representative for the Estate of Samuel L. Davis .....Respondent.

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

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Respondent proposes the following to be included in the Record on Appeal:

1. Probate Court Order dated March 23, 2023 (denying spoliation sanctions);
2. Probate Court Order dated July 17, 2023 (summary judgment);
3. Probate Court Order dated August 9, 2023 (denying reconsideration);
4. Circuit Court Order of February 8, 2024 (affirming Probate Court);
5. Complaint dated November 11, 2021;
6. Answer dated December 2, 2021;
7. Motion for Summary Judgment dated November 23, 2022;
8. Notice of Appeal to Circuit Court filed August 22, 2023;
9. Notice of Appeal from Circuit Court filed March 15, 2024;
10. Complete Transcript of Hearing held June 1, 2023;
11. Transcript of Hearing held January 29, 2024.
12. Deposition Transcript of Carolyn Johnson taken February 17, 2023 (All for context);
13. Deposition Transcript of Ernestine Boston taken February 17, 2023 (All for context);
14. Deposition Transcript of Payton Warren taken January 28, 2022 (All for context);
15. Deposition Transcript of Samuel L. Davis taken May 4, 2022 (All for context);
16. Affidavit of Carolyn Johnson with Exhibits dated November 7, 2022;
17. Affidavit of LaTonia Davis dated January 2, 2023;
18. Exhibits A, B & F to Affidavit of Angela Young dated February 22, 2023; and
19. Exhibit C to Plaintiff's Memorandum in Opposition to Defendant's Motion for Summary Judgment (Letter of Jim Cox, Esq.) dated December 14, 2020;

Florence, South Carolina

TURNER, PADGET, GRAHAM & LANEY, P.A.

June 10, 2024

*s/ J. Rene' Josey*

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*Attorneys for Respondent*

Other Counsel of Record:

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**CERTIFICATE OF COUNSEL**

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Pursuant to Rule 209, SCAC, the undersigned counsel hereby certifies that the Designation of Matter filed with the Court on or about this date contains nothing irrelevant; indeed, it is intended to echo all parts of the record upon which the Circuit Court relied upon to affirm the Probate Court’s issuance of the appealed orders including granting summary judgment and including all matters referenced in the Probate Court’s orders of summary judgment and denial of reconsideration.

Florence, South Carolina

TURNER, PADGET, GRAHAM & LANEY, P.A.

June 10, 2024

s/ J. Rene’ Josey  
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