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Aug 14 2024

SC Court of Appeals

STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM CHARLESTON COUNTY
Court of Common Pleas

The Honorable Bentley D. Price
Circuit Court Judge

Appellate Case No. 2023-001852

Athena Irland, Appellant,

v.

Brandy S. Culp, Respondent.

RESPONDENT'S DESIGNATION OF MATTER
TO INCLUDE IN THE RECORD ON APPEAL

Pursuant to Rule 209, SCACR, Respondent Brandy S. Culp designates the following material for inclusion in the record on appeal. Undersigned counsel certifies, pursuant to Rule 209(c), SCACR, that the designation contains no matter which is irrelevant to this appeal.

ORDERS

1. Probate Court Order, finding Decedent lacked capacity and Ms. Irland exercised undue influence in causing her to execute two deeds of conveyance, dated June 29, 2017.
2. S.C. Court of Appeals Order dismissing Ms. Irland's previous, related Appeal, dated August 22, 2017.
3. Probate Court Order, finding Decedent lacked capacity and Ms. Irland exercised undue influence in causing her to revoke her will, dated July 13, 2022.
4. Circuit Court Form 4 Order, entered November 15, 2022.

5. Circuit Court Order granting Rehearing, filed July 14, 2023.
6. S.C. Supreme Court Order Compelling Circuit Court to convene hearing on merits of appeal, filed September 13, 2023.
7. Circuit Order Denying and Dismissing Appeal with prejudice, filed October 2, 2023.
8. Court of Appeals Order, dated July 15, 2024.

MOTIONS, MEMORANDA, AND OTHER FILINGS OF RECORD

9. Notice of Intent to Appeal an Order from Probate Court, filed with the Circuit Court on July 22, 2022 with Cover Sheet.
10. Proof of Service filed by Athena Irland, filed July 22, 2022.
11. Petitioner Brandy S. Culp's Motion to Dismiss Appeal, with all exhibits, filed September 26, 2022.
12. Petitioner Brandy S. Culp's Reply to Return to Motion to Dismiss Appeal, with all exhibits, filed September 28, 2022.
13. Affidavit of Christina D. Culp, dated October 18, 2022.
14. Petitioner's Rule 59(e) Motion to Alter or Amend Order and Rule 221(a) Petition for Rehearing, filed November 21, 2022.
15. Respondent Brandy Culp's Petition for Writ of Mandamus, without exhibits, filed July 12, 2023.
16. Letter to S.C. Supreme Court, dated September 13, 2023.
17. Notice of Appeal, received by the Court of Appeals on November 29, 2023.
18. Court of Appeals' First Deficiency Letter, dated December 5, 2023.
19. Corrected Notice of Appeal, filed December 18, 2023.
20. Court of Appeals' Second Deficiency Letter, dated January 3, 2024.
21. Appellant's Motion for 30 Day Extension and Proof of Service, filed January 16, 2024.
22. Court of Appeals' Order granting extension, filed January 17, 2024.
23. Appellant's Initial Brief, titled "Appellant's Brief in Support of Motion for Rehearing," without fifty-seven-page Appendix, filed February 15, 2024.

24. Court of Appeals' Third Deficiency Letter, filed February 20, 2024.
25. Appellant's First Attempt to Correct Initial Brief, without 302 pages of extraneous attachments, filed March 5, 2024.
26. Court of Appeals Fourth Deficiency Letter, dated March 12, 2024.
27. Appellant's Second Attempt to Correct Initial Brief, filed March 25, 2024.
28. Respondent's Motion to Dismiss Appeal, filed April 24, 2024.
29. Public Index – Case No. 2022-CP-10-03304.
30. Settlement Agreement, dated March 22, 2021.

TRANSCRIPTS

31. Probate Court Hearing Transcript Excerpt containing testimony of Andrew Chandler, Esq., dated October 18, 2016, pp. 1-21.
32. Probate Court Hearing Transcript, dated April 7, 2022.
33. Circuit Court Hearing Transcript on Petitioner's Motion to Dismiss, dated October 27, 2022.
34. Circuit Court Hearing Transcript on Petitioner's Motion to Alter or Amend Order and Petition for Rehearing, dated January 26, 2023.

[Signature on following page]

Respectfully submitted,

THE LAW OFFICE OF JESSE SANCHEZ, LLC

s/Jesse Sanchez

Jesse Sanchez, Esquire (SC Bar No. 101906)
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and

SLOTCHIVER & SLOTCHIVER, LLP

s/Daniel S. Slotchiver

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ATTORNEYS FOR RESPONDENT BRANDY S. CULP

Mount Pleasant, South Carolina
August 14, 2024

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

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v.

Brandy S. Culp, Respondent.

PROOF OF SERVICE

I, the undersigned, certify that I have served the *Initial Brief of Respondent, Designation of Matter to Include in the Record on Appeal, and Motion to Strike* on Appellant Athena Irland and all Pro See parties to the underlying action via United States Certified Mail, postage prepaid, on August 14, 2024, at the addresses set forth below:

Athena L. Irland
186 Dolly Dimples Trail
Huger, SC 29450
Pro Se Respondent

Christina D. Culp
198 Lower Cherokee Road
Neeses, SC 29107 Isadore
Pro Se Party of Record

John Psaras
1586 Hidden Bridge Drive
Mount Pleasant, SC 29464
Pro Se Party of Record

Respectfully submitted,

THE LAW OFFICE OF JESSE SANCHEZ, LLC

s/Jesse Sanchez
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(843) 814-8181

ATTORNEY FOR RESPONDENT BRANDY S. CULP

August 14, 2024
Mount Pleasant, South Carolina



August 14, 2024

VIA ONEDRIVE ELECTRONIC SUBMISSION AND U.S. MAIL

The Honorable Jenny Abbott Kitchings
Clerk, South Carolina Court of Appeals
1220 Senate Street
Columbia, SC 29201

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Aug 14 2024

SC Court of Appeals

RE: Athena Irland, Appellant v. Brandy S. Culp, Respondent
App. Case No. 2023-001852

Dear Ms. Kitchings:

Enclosed for filing, please find the following:

1. Initial Brief of Respondent;
2. Respondent's Designation of Matter to Include in Record on Appeal;
3. Respondent's Motion to Strike; and
4. Proof of Service.

A check for the fifty dollar (\$50.00) filing fee associated with the Motion to Strike has been deposited in today's mail. Thank you for your assistance with this matter. Should you have any questions or wish to discuss the filing, please do not hesitate to contact me directly.

Sincerely,

s/Jesse Sanchez

Jesse Sanchez (SC Bar No. 101906)

Cc: Daniel S. Slotchiver, Esq.
Stephen M. Slotchiver, Esq.
Athena L. Irland (Via Certified Mail)
Christina D. Culp (Via Certified Mail)
Isadore John Psaras (Via Certified Mail)

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