

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM HORRY COUNTY
Court of Common Pleas

Edward B. Cottingham, Circuit Court Judge

Case No. 2010-CP-26-07961

Appellate Case No. 2013-001759

RECEIVED
OCT 18 2013
COURT OF APPEALS

South Carolina Department of Transportation *Respondent,*

v.

David Franklin Powell *Appellant.*

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

Appellants propose that the following be included in the Record on Appeal:

1. Condemnation Notice filed August 27, 2010
 2. Form 4 Order of Judge Culbertson filed March 11, 2013
 3. Order of Judge Cottingham filed April 26, 2013
 4. Condemnor's Motion in Limine filed March 25, 2013
 5. March 25, 2013 Deposition of Mike Barbee
 6. Landowner's Motion in Limine filed March 28, 2013
 7. Landowner's Memoranda Opposing Condemnor's Motion in Limine filed March 28, 2013
 8. Transcript of Record of April 1, 2013 Hearing, with exhibits
- Exhibits to Hearing Transcript:

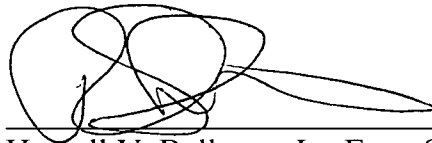
Defendant's (Landowner's) Exhibit 1: March 14, 2013 Appraisal of Corbin Haskell

Court's Exhibit 1: July 6, 2011 Deposition of Corbin Haskell (with exhibits)

Court's Exhibit 2: March 25, 2013 Deposition of Corbin Haskell (with exhibits)

9. Order of Judge Cottingham filed May 14, 2013
10. Landowner's Rule 59(e), SCRCP, Motion filed June 17, 2013
11. Order of Judge Cottingham filed July 29, 2013
12. Notice of Appeal filed August 16, 2013

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



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October 16, 2013

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SC Court of Appeals

South Carolina Department of Transportation Respondent,

v.

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PROOF OF SERVICE

I certify that I have served a copy of the Initial Brief of Appellants and Designation of Matter to be Included in the Record on Appeal in the above-captioned matter on the following individuals by United States Mail, with sufficient first-class postage affixed, addressed as follows:

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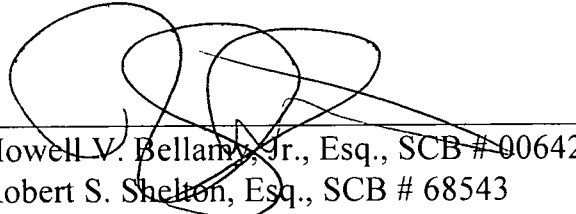
v.

David Franklin Powell *Appellant.*

CERTIFICATE OF COUNSEL

The undersigned certifies that the Designation of Matter to be Included in the Record on Appeal complies with Rule 209(b) SCACR.

Respectfully submitted,



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