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Jun 10 2025

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM BEAUFORT COUNTY
In the Court of Common Pleas for the Ninth Judicial Circuit

The Honorable Marvin H. Dukes, III

Case No. 2017-CP-07-02110
Appellate Case No. 2024-001053

Charles Willis Gardner Respondent,

vs.

Taylor Reuben Adams, and Beaufort County, South Carolina, Defendants,

of which Taylor Reuben Adams is the Appellant,

AND

Beaufort County, South Carolina is a Respondent.

**RESPONDENT'S AMENDED
DESIGNATION OF MATTER**

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

ORDERS

1. Consent Constraint Restraining Order, May 23, 2018;
2. Order Granting Partial Summary Judgment;
3. Order Denying Motion to Reconsider, August 9, 2018;
4. Consent Order Substituting Counsel, August 10, 2018;
5. Order of Reference, August 15, 2018;
6. Order Vacating Order of Reference, October 5, 2018;
7. Order Denying Plaintiffs Motion to Stay/Impose Restraint, December 10, 2018;
8. Consent Order - Plaintiff's Survey is Authorized, July 26, 2019;
9. Order, September 20, 2019;

10. Order Granting Motion to Alter/Amend Order Denying RTSC, December 13, 2019;
11. Mutual Restraining Order, June 24, 2021;
12. Opinion Reversed in Part, Vacated in Part and Remanded, May 20, 2022;
13. Remittitur from Court of Appeals, May 20, 2022;
14. Consent Order Substituting Counsel, January 31, 2023;
15. Consent Order of Continuance, February 1, 2023;
16. Consent Order of Reference, March 15, 2023;
17. Consent Scheduling Order, March 23, 2023;
18. Order Granting Motion to Intervene, May 12, 2023;
19. Order Denying Motion for a Temporary Injunction, May 23, 2023;
20. Order Denying Motion for Summary Judgment, July 28, 2023;
21. Form 4 C Order denying Motion to Reconsider, August 25, 2023;
22. Amended Scheduling Order, November 8, 2023;
23. Form 4 C Order Denying Motion for Summary Judgment and Motion to Compel resolved, January 9, 2024
24. Final Order, April 5, 2024;
25. Order Denying Motion to Reconsider, May 24, 2024;

MOTIONS

1. Motion for Partial Summary Judgment, March 15, 2018;
2. Motion to Reconsider, July 20, 2018;
3. Motion for Substitution of Counsel, July 20, 2018;
4. Motion for Stay of Order, October 3, 2018;
5. Petition for RTSC, July 23, 2019;
6. Motion to Alter or Amend Judgment, September 27, 2019;
7. Motion for TRO, May 24, 2022;
8. Motion to Intervene, July 27, 2022;
9. Motion to withdraw as Counsel, November 30, 2022;
10. Memo in Support of Motion to Intervene, March 7, 2023;
11. Notice of Filing re: plats and affidavits of Eddie Inabinett and Richard Williamson re: motion, March 8, 2023;
12. Motion to Reopen Default with Exhibits Answer, June 13, 2023;
13. Beaufort County's Motion for Summary Judgment, June 26, 2023
14. Plaintiffs Motion for Summary Judgment, July 24, 2023;
15. Beaufort County's Memo in Support Motion for Summary Judgment, July 26, 2023;
16. Beaufort County's Motion to Compel re Adams, November 10, 2023;

PLEADINGS

1. Summons and Complaint, October 12, 2017;
2. Affidavit of Service, November 6, 2017;

3. Answer & Counterclaim, December 13, 2017;
4. Reply to Counterclaim, December 18, 2017;
5. Letter, September 12, 2018;
6. Notice of Appeal, September, 2018;
7. Exhibit List, September 11, 2019;
8. Amended Summons and Complaint, May 10, 2023;
9. Beaufort Summons and Complaint in Intervention, May 18, 2023;
10. Plaintiff's Answer Counterclaim and Crossclaim, June 1, 2023;
11. Beaufort Co's Reply to Plaintiff's Answer Counterclaim and Crossclaim, June 5, 2023;
12. Affidavit of Default as to Taylor Reuben Adams, June 8, 2023;
13. Affidavit of Non-Military Service as to Taylor Reuben Adams, June 8, 2023;
14. Notice of Hearing, September 15, 2023;
15. Notice of Trial Hearing, September 18, 2023.

TRANSCRIPTS

1. Trial Transcript Day 1;
2. Trial Transcript Day 2;

EXHIBITS

1. Deed from Dan Taylor to John Howard;
2. Plat for Ardell Gardner recorded Book 28 Page 21, September 6, 1979?;
3. Lease between Ardell Gardner and Alcoa for 16 mos. Starting March 1, 1983;
4. US Army Corp of Engineers from Danny E. Stanley (Thomas & Hutton) re permit apps, March 14, 1983;
5. Romanosky John E. (Dept. of Army) re: dock to be permanent structure for property owner, April 18, 1983;
6. Howard Pigott (Thomas & Hutton) to David Baycura re: Warsaw/Dataw Permit App, April 15, 1985;
7. Plat prepared for Alcoa re proposed storage yard and staging area , May 26, 1983;
8. Decree of Title Clearance, November 21, 1990;
9. Survey Plat (Christopher Noels) for Property of J.B. Taylor;
10. J.B. Taylor Easement recorded Book 585 Page 2038, October 25, 1991;
11. Deed from Leroy Gardner, Sr. to Charles W. Gardner recorded Book 635 Page 2600, July 6, 1993;
12. Deed from John Howard to Pearl Howard recorded Book Z Page 1243, October 19, 1993;
13. Mortgage for Charles W. Gardner recorded Book 666 Page 1126, November 19, 1993;
14. Plat Book 52 Page 36 recorded, February 27, 1995;

15. SCE&G maintain, operate electric lines, April 7, 1997;
16. Plat (Gasque & Associates) prepared for Charles Gardner Lot Recombination, November 1, 2103;
17. Tax Title by Treasurer against Pearl Howard recorded Book 3375 Page 449, January 17, 2014;
18. Reahnita S. Tuten (DHEC) to Defendant Adams re septic tank app denied, January 2, 2015;
19. Warranty Deed from Dale A. Gabardy to Taylor Reuben Adams recorded Book 3375 Page 450, January 23, 2015;
20. Letter from Erik Klatt to Taylor Reuben Adams re private road neither owned nor ever maintained by Beaufort County, May 19, 2015;
21. Richard Williamson to Plaintiff re deprived from driveway, July 26, 2017;
22. DHEC Complaint and Warning letter with Investigation notes/report re Defendant Adams, August 22, 2017;
23. Problem Plat (Gasque & Associates), September 25, 2017;
24. Lolisa Davis (Assessor's Office) to Adams re denied request property revision, October 6, 2017;
25. Beaufort Co Sheriffs Office from Plaintiff and Warsaw Community re Adams harassment, October 9, 2017;
26. Stipulation by Adams re DHEC issues
27. *Gardner v. Adams*, S.C. Ct App. Up. Op. No. 2022-UP-185, April 27, 2022
28. Photographs; and
29. GIS MAP, January 3, 2024.

Mt. Pleasant, South Carolina

BUIST BYARS & TAYLOR, LLC

June 9, 2025



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Appellate Case No. 2024-001053

Charles Willis Gardner,.....Respondent,

v.

Taylor Reuben Adams, and Beaufort County, South Carolina, Defendants,
of which Taylor Reuben Adams is the.....Appellant,

AND

Beaufort County, South Carolina is a.....Respondent.

PROOF OF SERVICE

I certify that I have served the Respondent, Mr. Charles Willis Gardner's Amended Designation of Matter to be supplemented to the Record on Appeal by depositing a copy of same Via Email to all counsel at tfinger@Fingerlaw.com, RAchurch@hgpha.com, and NAkers@hgpha.com.

Mt. Pleasant, South Carolina
June 9, 2025

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June 9, 2025

VIA EMAIL: ctappfilings@sccourts.org
AND VIA US MAIL
The Honorable Jenny Abbott Kitchings
South Carolina Court of Appeals
1220 Senate Street
Columbia, SC 29211

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*RE: Charles Willis Gardner v Taylor Reuben Adams et al.,
C/A No.: 2017-CP-07-02110 Appellate Case No. 2024-001053
Client File No.: 9961.0001*

Dear Ms. Kitchings:

Enclosed please find an original and one (1) copy of the Respondent's, Charles Willis Amended Designation of Matter and Proof of Service in the above-referenced matter.

By copy of this letter, I am serving same upon all counsel. Should you have any questions, please feel free to contact me.

With kindest regards, I remain

Yours very truly,

G. Hamlin O'Kelley, III

GHOIII/atd
Enclosures (Via Email Only)

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