

THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

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JUN 13 2025

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

The Honorable Marvin H. Dukes, III

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

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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.

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**RESPONDENT'S AMENDED  
DESIGNATION OF MATTER**

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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

June 9, 2025

BUIST BYARS & TAYLOR, LLC

  
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*Attorney for the Respondent*

*Charles Willis Gardner*

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In The Court of Appeals

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The Honorable Marvin H. Dukes, III

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SC Court of Appeals

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

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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.

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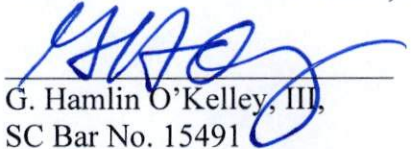
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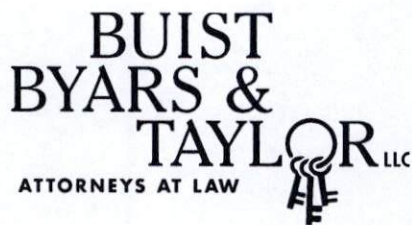
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I certify that I have served the Respondent, Mr. Charles Willis Gardner's Amended Designation of Matter to be supplemented to the Record on Appeal by depositing a copy of same Via Email to all counsel at [tfinger@Fingerlaw.com](mailto:tfinger@Fingerlaw.com),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

Mt. Pleasant, South Carolina  
June 9, 2025

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June 9, 2025

VIA EMAIL: [ctappfilings@sccourts.org](mailto: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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