

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM GREENVILLE COUNTY
Court of Common Pleas

Honorable Charles B. Simmons, Jr., Master in Equity

Appellate Case No. 2025-002218

Lower Court Case No. 2025-CP-23-03796

Robert Barnett, as Trustee of the RH 401(k) Plan, Respondent,

v.

Erica Lynn Davis, Austin J. Davis, and
Signature Gain Express Trust, DTE 06/22/2022
(An Irrevocable Express Trust Organization),
Harol Alezu Lozano Moran, Sole Trustee, Defendants,

of which Erica Lynn Davis and Austin J. Davis,Appellants.

**RESPONDENT’S DESIGNATION OF MATTER
TO BE INCLUDED ON APPEAL**

Respondent Robert Barnett, as Trustee of the RH 401(k) Plan proposed the following to be included in the Record on Appeal:

1. Order on Taxation of Costs Statement of Receipts Disbursement, dated January 8, 2026;
2. Order on Sale of Real Estate (Public Sale), dated December 1, 2025;
3. Master’s Order and Judgment of Foreclosure and Sale, dated September 24, 2025;
4. Order of Reference, dated July 30, 2025;
5. Lis Pendens, dated June 18, 2025;

6. Summons and Complaint, dated June 18, 2025;
7. Signature Gain Express Trust's Verified Counterclaim, dated July 24, 2025;
8. Signature Gain Express Trust's Petition to Dismiss for Lack of Standing and Demand for Evidentiary Hearing, Quiet Title, and Other Relief, dated July 24, 2025;
9. Plaintiff's Affidavit of Default, dated July 30, 2025;
10. Petition to Strike Affidavit from Record, dated August 4, 2025;
11. Signature Gain Express Trust's Objection to Clerk's Entry of Order Without Judicial Authority, dated August 4, 2025;
12. Signature Gain Express Trust's Rule 60(B) Petition to Vacate Order Entered Without Judicial Authority, dated August 4, 2025;
13. Plaintiff's Motion to Strike and for Default Judgment, dated August 13, 2025;
14. Plaintiff's Response to Defendant Signature Gain Express Trust's Counterclaim, dated August 13, 2025;
15. Plaintiff's Motion for Summary Judgment, dated August 14, 2025;
16. Affidavit in Support of Plaintiff's Motion for Summary Judgment, dated August 14, 2025;
17. Petitioner's Response in Opposition to Plaintiff's Petition to Strike, dated August 18, 2025;
18. Petitioner's Jurisdictional Memorandum on Standing and Subject-Matter Jurisdiction, dated August 18, 2025;
19. Notice of Hearing (September 17, 2025), dated August 19, 2025;
20. Petitioner's Petition to Strike Scheduled Hearing, dated September 11, 2025;
Respondent's Affidavit of Attorneys Fees, dated September 11, 2025;
21. Signature Gain Express Trust's Emergency Motion for Limited Rule 43 Hearing on Standing and Temporary Restraining Order, dated September 24, 2025;
22. Signature Gain Express Trust's Motion to Compel Production of Evidence of Funding, dated September 24, 2025;
23. Defendant Austin J. Davis's Memorandum of Law Regarding Authentication and Enforceability of Note and Mortgage, dated September 24, 2025;

24. Defendants Erica Lynn Davis and Austin J. Davis's Motion for Stay of Enforcement of Judgment and Writ of Assistance Pending Appeal, dated January 7, 2026;
25. Notice of Appeal, dated October 21, 2025;
26. Transcript of hearing, September 17, 2025;
27. Mortgage, filed December 16, 2019, in the Greenville County Register of Deeds office;
28. Master Deed, TMS No. 0323.03-01-029.00, Book: DE 2773, Page 914-917, 131 Round Tree Drive, Simpsonville, South Carolina 29681, dated December 2, 2025;
29. Deed, TMS No. 0323.03-01-029.00, Book: DE 2583, Page: 1063-1064, dated December 16, 2019;

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

Respectfully submitted,

/s/C. Elizabeth Weston
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C. Elizabeth Weston (103305)
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***Counsel for Respondent Robert Barnett, as
Trustee of the RH 401(k) Plan***

Columbia, South Carolina
May 12, 2026