

THE STATE OF SOUTH CAROLINA

In the Court of Appeals

APPEAL FROM HORRY COUNTY

Court of Common Pleas

The Honorable B. Alex Hyman, Circuit Court Judge

Appellate Case No. 2026-001091

Lower Court Case No. 2025-CP-26-09089

Claran Lundgren,

Appellant,

v.

Ashton Glenn Homeowners' Association, Inc., Waccamaw Management, LLC, and Bob Sauthoff, individually and as agent of the HOA,

Respondents.

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

(Rule 209, SCACR)

Appellant proposes the following matter be included in the Record on Appeal. Appellant designates only matter filed, attached, presented, referenced, or considered in the circuit court proceedings below, and one complete copy of any duplicative item should be included unless duplication is necessary for context or pagination.

Nothing in this designation waives Appellant's objections to untimely, overbroad, irrelevant, duplicative, or extra-record materials, including any attempt to incorporate wholesale federal-court briefing or materials not presented to the circuit court below.

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1. Form 4 / Judgment in a Civil Case, electronically filed March 2, 2026 and signed February 27, 2026, including the rulings granting Defendants' Motion to Dismiss and Summary Judgment and denying Plaintiff's Emergency Preservation Motion, ADR Exemption Motion, Media Access Motion, Rule 56(f) Continuance and Limited Discovery Motion, Motion to Require Proper Service, and related motions.
2. Any formal written order, proposed order adopted by the court, or amended order entered after the Form 4 concerning Defendants' Motion to Dismiss / Motion for Summary Judgment and Plaintiff's motions ruled upon in the Form 4.
3. Order denying Plaintiff's Rule 59(e) Motion to Alter or Amend Judgment, if separately entered.
4. Plaintiff's Verified Complaint filed in Case No. 2025-CP-26-09089, including its verification and all exhibits or exhibit packets attached to or filed with the Verified Complaint, including any notice of filing limited corrected exhibits, exhibit-number correction slips, corrected exhibit index/crosswalk, and corrected or inserted exhibits including the Magistrate Return of Civil Appeal, and including but not limited to exhibits concerning the recorded Declaration / CCRs, Bylaws, amendments, ACC Guidelines, Policies & Procedures, collection policies, financial statements, HOA website/web-capture materials, metadata/support sheets, governing-document authority, notice/hearing procedures, Bylaws notice, hearing, fining-procedure, Board-duty, officer-duty, and records provisions, violation and fine notices, ACC application and denial materials, Consumer Affairs complaint materials, correspondence with Waccamaw / HOA representatives regarding the governing authority for alleged violations, photographs and date-stamped comparative enforcement exhibits, judicial-disciplinary / ODC materials, HUD/FHEO complaint materials, protected-activity materials, employment, lost-income, distress, and damages materials, and all exhibits supporting Plaintiff's void-ab-initio, recording-statute, conditions-precedent, selective-enforcement, FHA-retaliation, damages, and HOA-authority arguments.

5. Plaintiff's Memorandum of Law filed in support of the Verified Complaint, including all filed parts or continuations of that memorandum.
6. Defendants' Motion to Dismiss, Motion for Summary Judgment, or combined dispositive motion filed in the circuit court.
7. Defendants' memorandum of law in support of dismissal or summary judgment filed in the circuit court below, together with the exhibits attached to that filing as filed below, including Exhibits A-K, the certificate(s) of service, and any reply memorandum actually filed in the circuit court below. This designation does not include federal-court briefs or federal-court filings except to the limited extent separately designated in Item 23.
8. Plaintiff's Opposition Memorandum / Hearing Memorandum opposing dismissal, summary judgment, res judicata, collateral estoppel, judicial notice, and conversion without Rule 56 procedure.
9. Plaintiff's written objection, if filed or accepted below, to Defendants' late-served memorandum, exhibits, public-index materials, or request for judicial notice beyond the pleadings.
10. Plaintiff's Rule 56(f) Motion for Continuance and Limited Discovery and all supporting affidavits, declarations, exhibits, or attachments.
11. Plaintiff's Motion for Emergency Preservation Order and all supporting affidavits, declarations, exhibits, or attachments.
12. Plaintiff's Motion for ADR Exemption and any supporting materials.
13. Plaintiff's Motion / Application for Media Access and any supporting materials.
14. Plaintiff's Motion to Require Proper Service and any supporting materials.
15. Plaintiff's Motion to Hear Pending Motions Together and any supporting materials.
16. Plaintiff's Affidavit of Hearing Conduct and all exhibits or attachments filed with or presented in support of that affidavit.

17. Blaire Jaeger's affidavit or declaration concerning the May 16, 2024 Magistrate Court hearing and Chris DeLuca testimony, to the extent filed, attached, handed up, or otherwise presented below.

18. Any affidavit, declaration, or filing concerning hearing-record omissions, courtroom conduct, chain of custody, audio integrity, missing testimony, transcript completeness, record preservation, forensic discovery, digital-file integrity, hash verification, metadata, native audio, export logs, or court-record preservation, including Plaintiff's Affidavit Regarding Hearing-Record Omissions and Courtroom Conduct, the Blaire Jaeger affidavit, and any notarized chain-of-custody or digital-integrity affidavit, to the extent filed, attached, handed up, or otherwise presented below.

19. Transcript of the February 23, 2026 hearing before the Honorable B. Alex Hyman, including the full transcript and certificate of transcriber.

20. Certified transcript of the May 16, 2024 Magistrate Court hearing before Judge Manuela Clayton, to the extent filed, attached to the pleadings, included in the exhibit packets, handed up, quoted, or relied upon in the circuit court proceedings.

21. Magistrate Court judgment, order, fee award materials, Return of Civil Appeal, and related magistrate-court documents to the extent filed, attached to the pleadings, included in the exhibit packets, handed up, quoted, or relied upon in the circuit court proceedings.

22. Circuit Court appeal materials from the prior magistrate-court appeal, including the Magistrate Return of Civil Appeal, Judge Hood hearing materials, the August 28, 2024 Common Pleas appeal transcript, order denying appeal, proposed order / email communications concerning the appeal decision, post-appeal motions including any motion for retrial, recusal, or change of venue, and related orders, to the extent filed, attached to the pleadings, included in the exhibit packets, handed up, quoted, or relied upon in the circuit court proceedings.

23. Federal-court Report and Recommendation, order adopting the Report and Recommendation, judgment, and only those specific federal-court filings, excerpts, or attachments that were filed in or attached to the pleadings/exhibit packets in Case No. 2025-CP-26-09089, handed up, quoted, or expressly relied upon in the circuit court proceedings concerning res judicata, collateral estoppel, forum limitations, the federal court's treatment of the hearing transcript, or the scope of issues actually decided. This designation does not include wholesale incorporation of the complete federal docket or unrelated federal briefing, and Appellant reserves all objections to any overbroad designation by Respondents.

24. All complaint exhibits and later-filed exhibits concerning post-judgment collection, attorney-fee demands, ledger entries, foreclosure or collection threats, service / amenity termination, and related correspondence, including but not limited to: the June 3, 2024 post-judgment collection / final-notice letter; Plaintiff's June 14, 2024 response disputing the assessment/violation charges; the September 8, 2025 final-notice letter postmarked September 10, 2025; the September 22, 2025 cease-and-desist / preservation / document-request correspondence; the September 23 and September 24, 2025 Waccamaw manager email communications; the September 15, 2025 ledger entry; the October 2, 2025 final-notice / collection letter mailed or postmarked October 4, 2025; the October 21, 2025 Inlet Law / Mark Nappier lien-or-foreclosure collection letter; the recorded Collection Policy Resolution and related collection-policy materials; Plaintiff's November 2, 2025 courtesy notice / preservation / dispute email to Mark Nappier; Mark Nappier's November 3, 2025 response email; and any related email communications with Mark Nappier, Inlet Law, Waccamaw Management, or defense counsel concerning those letters, ledger entries, collection threats, attorney-fee demands, service / amenity termination, lien threats, or foreclosure threats, to the extent filed, attached, presented, referenced, or relied upon below.

25. Plaintiff's Rule 59(e) Motion to Alter or Amend Judgment, all exhibits attached to or filed with that motion, any response filed by Defendants, any reply filed by Plaintiff, and any order entered on the motion.

26. Any materials physically handed to the circuit court at the February 23, 2026 hearing and accepted, reviewed, or retained by the court, including copies of transcripts, affidavits, and exhibit materials referenced during the hearing.

27. Notices of Electronic Filing (NEFs), file-stamped submissions, certificates of service, email transmittals, and related proof of filing, submission, transmission, or service associated with Defendants' dispositive motion(s), supporting memoranda, Exhibits A-K, reply papers, and proposed orders in the circuit court below, to the extent filed, presented, referenced, or relied upon below, reflecting the dates and methods of filing, submission, transmission, and service upon Plaintiff/Appellant. This item designates filing/service proof and procedural transmission records only, and does not independently designate additional substantive filings not otherwise identified above.

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

Date: May 22, 2026

Respectfully submitted,

s/ Claran Lundgren

Claran Lundgren

Pro Se Appellant

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CERTIFICATE OF SERVICE

I certify that on May 22, 2026, I served the foregoing Designation of Matter to Be Included in the Record on Appeal on counsel for Defendants-Respondents by electronic mail and U.S. Mail at the addresses listed below:

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Date: May 22, 2026

s/ Claran Lundgren

Claran Lundgren

Pro Se Appellant