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SC Court of Appeals

**STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS**

George S. Jenkins,
Appellant,

v.

Florence Heyward Davis,
Respondent.

Appellate Case No. 2024-001929

**RESPONDENT'S SUPPLEMENT TO PENDING MOTION
TO FILE RESPONDENT'S BRIEF OUT OF TIME AND
NOTICE REGARDING OMITTED DESIGNATED
MATERIALS FROM THE RECORD ON APPEAL**

COMES NOW Respondent, Florence Heyward Davis, appearing pro se, and respectfully submits this Supplement to her pending Motion to File Respondent's Brief Out of Time.

I. Newly Discovered Information

After filing Respondent's Motion to File Brief Out of Time and while preparing Respondent's Brief, Respondent conducted a detailed review of the certified Record on Appeal. During that review, Respondent discovered that several materials specifically designated for inclusion pursuant to Rule 209, SCACR, do not appear in the certified Record on Appeal.

On August 25, 2025, Respondent timely served and filed her Designation of Matter pursuant to Rule 209, SCACR. A true and correct copy of that designation is attached hereto as **Exhibit A** and incorporated herein by reference.

Among the materials expressly designated by Respondent were:

1. The 2012 Durable Power of Attorney executed by Florine Alethia Jenkins Heyward;
2. The Affidavit of D. Nathan Davis, Esq.;
3. The Circuit Court's Order Granting Defendant's Motion for Partial Summary Judgment entered October 29, 2024; and
4. All motions, memoranda, and supporting documents filed in connection with the summary judgment proceedings.

Rule 210(c), SCACR, provides that the Record on Appeal "**shall include all matter designated to be included by any party under Rule 209.**"

Rule 210(c), SCACR, provides that the Record on Appeal "**shall include all matter designated to be included by any party under Rule 209.**"

Respondent has carefully compared the certified Record on Appeal to her Rule 209 Designation of Matter and has confirmed that the following designated materials do not appear in the certified Record transmitted to this Court.

Despite Respondent's designation, the certified Record on Appeal presently before this Court does not appear to contain, among other designated materials:

- the 2012 Durable Power of Attorney;
- the Affidavit of D. Nathan Davis, Esq.; and
- the summary judgment memoranda and supporting documents designated by Respondent.

II. Importance of the Omitted Materials

The omitted materials are directly related to the issues raised by Appellant on appeal.

Appellant challenges the Circuit Court's Order granting partial summary judgment, including the Circuit Court's interpretation and application of the 2012 Durable Power of Attorney. The omitted materials include the governing instrument interpreted by the Circuit Court, the affidavit of the attorney who drafted that instrument, and supporting summary judgment materials considered by the Circuit Court in rendering its decision.

Respondent does not assert how or why these omissions occurred and makes no allegation of misconduct by any party or court official. Respondent respectfully brings these omissions to the Court's attention because they were expressly designated pursuant to Rule 209, SCACR, and were discovered only after the filing of Respondent's pending motion.

III. Relevance to Respondent's Pending Motion

The newly discovered omissions further explain the additional time required for Respondent to prepare an accurate and complete Respondent's Brief. Respondent has diligently reviewed the Record on Appeal, compared it against the matters designated under Rule 209, and sought to ensure that her brief accurately reflects the record before this Court.

Respondent respectfully submits this Supplement so that the Court may consider these newly discovered circumstances in conjunction with Respondent's pending Motion to File Respondent's Brief Out of Time.

WHEREFORE,

Respondent respectfully requests that this Court:

1. Consider this Supplement together with Respondent's pending Motion to File Respondent's Brief Out of Time;
2. Consider the newly discovered omissions from the certified Record on Appeal in ruling upon Respondent's pending motion; and
3. Grant such other and further relief as this Court deems just and proper.

Respectfully submitted,

Florence Heyward Davis

Respondent, Pro Se

14 Ridge Square NW, Suite 300
c/o DCUL Office 308
Washington, DC 20016

843-364-6578

floelleRN@gmail.com

Date: 07/14/2016

EXHIBIT A

RESPONDENT'S DESIGNATION OF MATTER PURSUANT TO RULE 209, SCACR

COVER LETTER TO CLERK OF COURT

Florence Heyward Davis
14 Ridge Square NW Suite 300
% DCUL Office 308
Washington, DC 20016
843-364-6578
floelleRN@gmail.com

Date: _August 25_, 2025

Clerk of Court
South Carolina Court of Appeals
1220 Senate Street

Columbia, SC 29201

Email: ctappfilings@sccourts.org
Re: *George Jenkins v. Florence Heyward Davis*
Case No. 2019-CP-10-06647

Appellate Case No. 2024-0001929

Respondent's Filings (Initial Brief, Motion, Designation of Matter)

Dear Clerk:

Please find enclosed for filing in the above-referenced case the following documents on behalf of the Respondent, Florence Heyward Davis, who is now appearing **pro se**:

- 1. Respondent's Initial Brief**
- 2. Motion to File Respondent's Initial Brief and Designation of Matter Out of Time (with Certificate of Service)**
- 3. Respondent's Designation of Matter (with Certificate of Service)**

These filings are submitted pursuant to the Court's letter dated August 14, 2025, and in accordance with Rules 208, 209, and 240, SCACR.

Please file these materials accordingly. Copies have been served upon Appellant George Jenkins via U.S. Mail as reflected in the attached Certificates of Service.

Aug 25 2025

Thank you for your attention and assistance.

Respectfully submitted, Florence Heyward Davis, Pro Se

IIN THE COURT OF APPEALS STATE OF SOUTH CAROLINA

George Jenkins, Appellant,

Aug 25 2025

v.

Florence Heyward Davis, Respondent.

Appeal From Charleston County Case No. 2019-CP-10-06647
Appellate Case No. 2024-001929

RESPONDENT'S DESIGNATION OF MATTER

(Pro Se – Florence Heyward Davis)

Pursuant to Rule 209, SCACR, Respondent designates the following matters from the Record on Appeal to be included for review:

The Power of Attorney executed by Florine Alethia Jenkins Heyward in 2012.
The wills of Florine Alethia Jenkins Heyward dated 1995, 2003, and 2019.
The Affidavit of Nathan Davis, Esq., regarding execution of estate instruments.
The Circuit Court's Order of Summary Judgment entered October 29, 2024 (Hon. Jennifer McCoy).

All motions, memoranda, and supporting documents filed in connection with the summary judgment proceedings.

Respectfully submitted, Florence Heyward Davis, Pro Se

Florence Heyward Davis, Pro Se

14 Ridge Square NW Suite 300

% DCUL Office 308

Washington, DC 20016

843-364-6578

floelleRN@gmail.com

Date: _August 25_, 2025

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

George S. Jenkins,
Appellant,
v.
Florence Heyward Davis,
Respondent.

Appellate Case No. 2024-001929

RESPONDENT'S MOTION FOR LEAVE TO SUPPLEMENT THE RECORD ON APPEAL PURSUANT TO RULE 212(b), SCACR

COMES NOW Respondent, Florence Heyward Davis, appearing pro se, and respectfully moves this Honorable Court, pursuant to Rule 212(b), SCACR, for leave to supplement the Record on Appeal with materials previously designated under Rule 209, SCACR, but which do not appear in the certified Record on Appeal presently before this Court.

In support of this Motion, Respondent respectfully states as follows:

I.

On August 25, 2025, Respondent timely served and filed a Designation of Matter pursuant to Rule 209, SCACR.

A true and correct copy of Respondent's Rule 209 Designation is attached hereto as **Exhibit A**.

Among the materials designated were:

1. The 2012 Durable Power of Attorney executed by Florine Alethia Jenkins Heyward;
2. The Affidavit of D. Nathan Davis, Esq.;
3. the summary judgment memoranda and supporting documents designated by Respondent.
4. All motions, memoranda, and supporting documents filed in connection with the summary judgment proceedings.

II.

Rule 210(c), SCACR, provides:

"The Record on Appeal shall include all matter designated to be included by any party under Rule 209."

Respondent has carefully compared the certified Record on Appeal against the Rule 209 Designation attached as Exhibit A and has confirmed that the following designated materials do not appear in the certified Record:

1. The Durable Power of Attorney executed by Florine Alethia Jenkins Heyward in 2012
2. The 2015 deed executed pursuant to the 2012 Durable Power of Attorney conveying the subject real property.
3. The wills of Florine Alethia Jenkins Heyward dated 2003, and 2019, to the extent they were filed with and considered by the Circuit Court.
4. The Affidavit of Nathan Davis, Esq.
5. The Affidavit of Florence Heyward Davis.
6. Affidavit in Support of Motion For Summary Judgment
7. Defendant's Amended Memorandum of Law In Support of Summary Judgment
8. **All pleadings, motions, responses, replies, memoranda of law, affidavits, exhibits, transcripts, and all other documents filed with and considered by the Circuit Court in connection with the parties' cross-motions for summary judgment and the Order granting summary judgment.**

III.

The omitted materials were before the Circuit Court during the summary judgment proceedings and are directly related to the issues presented in this appeal.

Specifically, Appellant challenges the Circuit Court's interpretation of the 2012 Durable Power of Attorney and the resulting Order Granting Partial Summary Judgment.

Although the Record on Appeal includes the Circuit Court's Order Granting Summary Judgment, it omits several material documents that were before and considered by the Circuit Court,

including the 2012 Durable Power of Attorney, the 2015 deed, the affidavit of Nathan Davis, Esq., and other summary judgment materials necessary for meaningful appellate review.

IV.

Respondent does not contend how or why these omissions occurred and makes no allegation of misconduct by Appellant, court personnel, or any other person.

Respondent discovered the omissions only while conducting a detailed review of the certified Record on Appeal during preparation of Respondent's Brief.

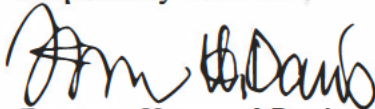
Respondent respectfully submits that supplementation of the Record will assist this Court in reviewing the same materials that were before the Circuit Court when it entered the Order presently on appeal.

WHEREFORE,

Respondent respectfully requests that this Court:

1. Grant Respondent leave pursuant to Rule 212(b), SCACR, to supplement the Record on Appeal;
2. Permit Respondent to file an Appendix containing the materials previously designated under Rule 209, SCACR, but omitted from the certified Record on Appeal;
3. Direct such further proceedings concerning supplementation of the Record as the Court deems appropriate; and
4. Grant such other and further relief as this Court deems just and proper.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Florence Heyward Davis".

Florence Heyward Davis
Respondent, Pro Se

14 Ridge Square NW, Suite 300
c/o DCUL Office 308
Washington, DC 20016

843-364-6578

floelleRN@gmail.com

Date: July 14, 2026

CERTIFICATE OF SERVICE

I hereby certify that on this __14__ day of _____ July _____, 2026, I served a true and correct copy of the foregoing **Respondent's Motion for Leave to Supplement the Record on**

Appeal Pursuant to Rule 212(b), SCACR upon:

George S. Jenkins
Appellant, Pro Se

1348 South Sherwood Drive

Charleston, SC 29407

by depositing the same in the FedEx Express Mail, postage prepaid.

Florence Heyward Davis
Respondent, Pro Se

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JUL 16 2026
SC Court of Appeals

EXHIBIT A

RESPONDENT'S DESIGNATION OF MATTER PURSUANT TO RULE 209, SCACR

(filed August 25, 2025)

IN THE COURT OF APPEALS STATE OF SOUTH CAROLINA

George Jenkins, Appellant,

Aug 25 2025

v.

Florence Heyward Davis, Respondent.

Appeal From Charleston County Case No. 2019-CP-10-06647
Appellate Case No. 2024-001929

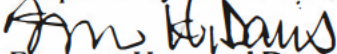
RESPONDENT'S DESIGNATION OF MATTER

(Pro Se – Florence Heyward Davis)

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- The Circuit Court's Order of Summary Judgment entered October 29, 2024 (Hon. Jennifer McCoy).
- All motions, memoranda, and supporting documents filed in connection with the summary judgment proceedings.

Respectfully submitted,



Florence Heyward Davis, Pro Se

Florence Heyward Davis, Pro Se

14 Ridge Square NW Suite 300

% DCUL Office 308

Washington, DC 20016

843-364-6578

floelleRN@gmail.com

Date: _August 25_, 2025

CERTIFICATE OF SERVICE

I hereby certify that on this 14 day of July, 2026, I served a true and correct copy of the foregoing **Respondent's Supplement to Pending Motion to File Respondent's Brief Out of Time and Notice Regarding Omitted Designated Materials from the Record on Appeal** upon:

George S. Jenkins
1348 South Sherwood Drive

Charleston, SC 29403

by depositing the same in the FedEx Express, postage prepaid.

Florence Heyward Davis

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SC Court of Appeals

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14 RIDGE SQUARE NORTHWEST
STE 300 OFFICE 300
WASHINGTON, DC 20518
UNITED STATES US

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JUL 16 2026

SC APPEALS COURT
1220 SENATE STREET
COLUMBIA SC 29201
(843) 364-6578

SC Court of Appeals



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THU - 16 JUL 5:00P
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