

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM BEAUFORT COUNTY
Carmen T. Mullen, Circuit Court Judge

Appellate Case No. 2026-001061
Civil Action No. 2025-CP-07-00873

RECEIVED

Aug 12 2026

SC Court of Appeals

In the Matter of: George Francis Niesar (Decedent),
Gerald Viglione Niesar, Individually and as Personal
Representative of the Estate of George Francis Niesar,

Appellant

v.

Christine Nemeth,

Respondent

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

Pursuant to Rule 209, SCACR, Respondent designated the following material for inclusion in the record on appeal. Undersigned counsel certifies, pursuant to Rule 209(c), SCACR, that the designation contains no matter that is irrelevant to this appeal.

Orders, Judgments & Other Court Communication

Order Removing Formal Proceedings to Circuit Court, April 3, 2025

Final Order Granting Appellant's/Plaintiff's Motion for Summary Judgment, December 31, 2025

Order Granting Respondent's/Defendant's Motion to Reconsider and Reversing Final Order Granting Appellants'/Plaintiff's Motion for Summary Judgment, March 10, 2026

Order Denying Appellant's/Plaintiff's Motion to Reconsider, April 21, 2026

Pleadings

Appellant's/Plaintiff's Second Amended Complaint with exhibit (District Court), April 25, 2024

Respondent's/Defendant's Answer to the Second Amended Complaint with Affirmative Defenses and Counterclaims (District Court), May 7, 2024

Appellant's/Plaintiff's Summons and Complaint with exhibit, December 6, 2024

Respondent's/Defendant's Answer and Counterclaim, March 11, 2025

Appellant's/Plaintiff's Reply to Respondent's/Defendant's Answer and Counterclaim (Probate Court), April 8, 2025

Appellant's/Plaintiff's Reply to Respondent's/Defendant's Answer and Counterclaim (Circuit Court), April 29, 2025

Motions, Supporting Memoranda & Other Filings

Respondent's/Defendant's Motion for Summary Judgment with 4 exhibits (District Court), February 8, 2024

Appellant's/Plaintiff's Motion for Summary Judgment with exhibits, October 28, 2025

Respondent's/Defendant's Return to Appellant's/Plaintiff's Motion for Summary Judgment with exhibits, October 7, 2025

Appellant's/Plaintiff's Memorandum in Support of Motion for Summary Judgment with exhibits, October 24, 2025

Respondent's/Defendant's Motion to Reconsider Final Order Granting Appellant's/Plaintiff's Motion for Summary Judgment with exhibits, January 6, 2026

Respondent's/Defendant's Amended Motion to Reconsider Final Order Granting Appellant's/Plaintiff's Motion for Summary Judgment with exhibits, January 26, 2026

Appellant's/Plaintiff's Memorandum in Opposition to Respondent's/Defendant's Motion to Reconsider with exhibit, January 26, 2026

Respondent's/Defendant's Return Memorandum to Appellant's/Plaintiff's Memorandum in Opposition to Respondent's/Defendant's Motion to Reconsider, January 29, 2026

Appellant's/Plaintiff's Motion to Reconsider and Supporting Memorandum, March 18, 2026

Respondent's/Defendant's Reply to Appellant's/Plaintiff's Motion to Reconsider and Supporting Memorandum, March 26, 2026

Transcripts

Transcript of Hearing on Appellant's/Plaintiff's Motion for Summary Judgment, October 28, 2025

Transcript of Hearing on Respondent's/Defendant's Motion to Reconsider Final Order Granting Appellant's/Plaintiff's Motion for Summary Judgment, January 14, 2026

Other Authority

Letter from Federal Judge David C. Norton dated October 8, 2024 to the Beaufort County Probate Judge Heather Galvin

Respondent's/Defendant's Offer of Judgment (Circuit Court), March 26, 2026

Appellant's/Plaintiff's Notice of Appeal with exhibits, April 30, 2026

Myles Bland & Kyle Ward, Constructive Trusts in South Carolina: Equity in its Finest Form As it Relates to Real Property Transfers (2012)

[<https://equityiswell.wordpress.com/wp-content/uploads/2012/10/constructive-trusts-in-south-carolina-equity-in-its-finest-form-as-it-relates-to-real-property-transfers.pdf>]

South Carolina Law Review, Marcellius S. Whaley, Vol. 11, Issue 5, Page 5, Spring

Respectfully Submitted,

s/ Russ Keep, III

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August 12, 2026

Hilton Head Island, SC