

**THE STATE OF SOUTH CAROLINA
In The Court Of Appeals
Appellate case No. 2013-001441**

**APPEAL FROM GREENVILLE COUNTY
Court of Common Pleas
Case No. 2010-CP-23-1621**

Edward G. Wellmaker, Judge

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SC Court of Appeals

J. P. Morgan Chase Bank NA, Plaintiff

v.

**Thomas R. Irby, Roy C. Irby aka Roy C. Irby II,
Bank of America, NA And Charles H. Knight LLC, Defendants**

Of whom Thomas R. Irby is the Appellant

and

**Bank of America, NA and Roy C. Irby, aka Roy C. Irby II
are the Respondents**

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

Counsel for Respondents

Appellant:

**Thomas R. Irby, pro se
P.O. Box 827
Pelzer, SC 29669
Ph. 864-243-4015
Fax. 864-243-3794**

Bank of America

**Lawrence M. Hershon, Esq.
Parker Poe
1201 Main Street
Columbia, SC 29201
Ph. 803-255-8000
Fax. 803-255-9071**

Roy C. Irby II:

**Jerry A. Gaines, II, Esq.
Odom, Terry, Cantrell
220 N. Church Street
Spartanburg, SC 29304
Ph. 864-582-6776
Fax. 864-585-9523**

Pursuant to Rule 209, SCACR, Appellant Thomas R. Irby designates the following to be included in the Record on Appeal.

- 1.....Transcript of Trial dated 12/6/13
- 2.....Jury Verdicts (3 verdict sheets)
- 3.....Plaintiff's Exhibits P-1 through P-12
- 4.....Defendant Roy C. Irby's Exhibits D-1 through D-6
- 5.....Bank of America Exhibit D-1
- 6.....Court Exhibits C-1 & C-2
- 7.....Community First Loan & Mortgage
- 8.....Check from Jones for M & T Bank HUD statement
- 9.....Community First account information
- 10.....Check from Attorney Jones to Payoff BOA Account
- 11.....Delinquent Notices from BOA
- 12.....Two Payment Receipts from T. Irby to BOA
- 13.....T. Irby Statement to Court
- 14.....T. Irby Cross Complaint
- 15.....T. Irby Amendment to Clarify Cross Complaint
- 16.....T. Irby General Amendment to His Cross Complaint
- 17.....T. Irby Subpoena to Bank of America for complete account Records.
- 18.....Bank of America Account Records Bates Numbered, 00001 through 00028, 00038, 00055, 00070, 00071, 00084, 00086, 00092, 00108, 000110, 000111, 000125, 000176, 000178.
- 19.....Equity Court order on Motions heard on February 8, 2012.
- 20.....Equity Court Order on Motions heard on August 17, 2011.
- 21.....Masters Title for foreclosure sale, filed August 23, 2011.
- 22.....Subornation Agreement for First Mortgage status to Chase Bank for payment of \$50,000.00 to BOA.
- 23.....Roy C. Irby II cross complaint against Charles H. Knight, LLC (in reference to short sale per transcript)

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Bank of America, NA And Charles H. Knight LLC, Defendants

Of whom

Bank of America, NA and Roy C. Irby, aka Roy C. Irby II
are the Respondents

and

Thomas R. Irby is the Appellant

PROOF OF SERVICE

Counsel for Respondents

Appellant:
Thomas R. Irby, pro se
P.O. Box 827
Pelzer, SC 29669
Ph. 864-243-4015
Fax. 864-243-3794

Bank of America
Lawrence M. Hershon
Parker Poe
1201 Main Street
Columbia, SC 29201

Roy C. Irby II:
Jerry A. Gaines, II
Odom, Terry, Cantrell
220 N. Church Street
Spartanburg, SC 29304

By my signature below I verify that I have provided copies of the Appellants initial Brief and designation of matter to the Office of Court Administration by USPS first class, and to Lawrence M. Hershon, and Jerry A. Gaines by USPS, certified with return receipt required for file.

Signed: _____

Thomas R. Irby, Appellant pro se

Date: _____

2/18/2014

THOMAS R. IRBY
P.O. BOX 827, PELZER, SC 29669
PHONE: (864)243-4015

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SC Court of Appeals

FEBRUARY 18, 2014

**THE HON. JENNY ABBOTT KITCHINGS,
CLERK OF SOUTH CAROLINA COURT OF APPEALS
1015 SUMTER STREET
COLUMBIA, SOUTH CAROLINA 29201**

**RE: APPELLATE CASE No. 2013-001441
J. P. MORGAN CHASE BANK NA V. THOMAS R. IRBY—**

DEAR Ms. KITCHINGS;

I HAVE ENCLOSED HERewith THE ORIGINAL AND ONE COPY EACH OF MY INITIAL BRIEF AND DESIGNATION OF MATTER. I HAVE ALSO ENCLOSED A PROOF OF SERVICE TO VERIFY THAT ONE COPY OF EACH DOCUMENT HAS BEEN MAILED TO THE OFFICE OF COURT ADMINISTRATION, JERRY A. GAINES, II, AND LAWRENCE M. HERSHON.

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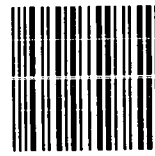

**THOMAS R IRBY, PRO SE
APPELLANT**

**ENCL: INITIAL BRIEF OF APPELLANT AND ONE COPY THEREOF.
ORIGINAL DESIGNATION OF MATTER AND ONE COPY THEREOF.**

**CC: OFFICE OF COURT ADMINISTRATION
1015 SUMTER STREET, SUITE 200
COLUMBIA, SC 29201**

**LAWRENCE M. HERSHON
1201 MAIN STREET, SITE 1450
COLUMBIA, SC 29201**

**JERRY ALLAN GAINES, II
P.O. Box 5504
SPARTANBURG, SC 29304-5504**



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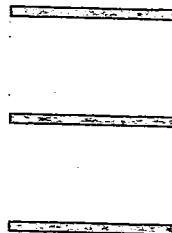
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T. R. IRBY
P.O. BOX 827
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