

THE STATE OF SOUTH CAROLINA
In The Court of Appeals
APPEAL FROM SPARTANBURG COUNTY
Court of Common Pleas

Frank R. Addy, Jr., Circuit Court Judge

Lower Court Case No. 2012-CP-42-5017
Appellate Case No. 2013-002699

Gretchen A. Rogers, as Guardian *ad litem*
for Mark A. Malloy.

RECEIVED

MAR 11 2014

SC Court of Appeals

RECEIVED

MAR 11 2014

SC Court of Appeals

Appellant,

v.

Kenneth E. Lee and
LAW OFFICES OF LEE & SMITH, P.A. Respondents.

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

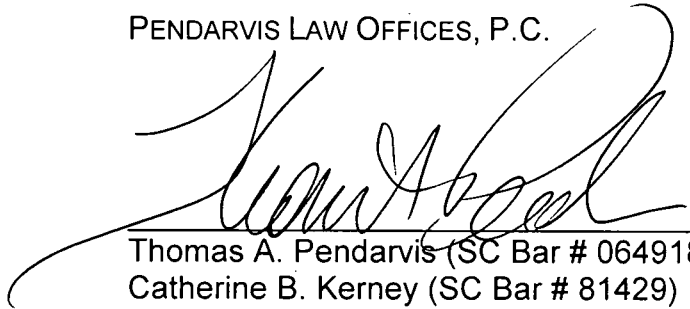
Appellant proposes the following be included in the Record on Appeal:

1. Complaint dated December 3, 2012;
2. Affidavit of R. James Lore dated June 1, 2012;
3. Affidavit of Mark A. Malloy dated June 4, 2013;
4. Defendants' Motion for Summary Judgment dated March 1, 2013;
5. Plaintiff's Memorandum in Opposition to Defendants' Motion for Summary Judgment dated June 5, 2013;
6. Form 4 granting Motion for Summary Judgment dated September 5, 2013;
7. Order granting Summary Judgment dated September 17, 2013;
8. Plaintiff's Motion to Alter or Amend Order granting Motion for Summary Judgment dated October 3, 2013;
9. Plaintiff's Memorandum in Support of Plaintiff's Motion to Alter or Amend Order dated November 12, 2013;
10. Order denying Plaintiff's Motion to Alter or Amend dated November 26, 2013;
11. Order Appointing Counsel/Guardian dated January 5, 2011;
12. Lee letter to Malloy, February 25, 2004

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

Respectfully submitted,

PENDARVIS LAW OFFICES, P.C.

A large, stylized handwritten signature in black ink, appearing to read 'Tom Pendarvis', is written over a horizontal line.

Thomas A. Pendarvis (SC Bar # 064918)

Catherine B. Kerney (SC Bar # 81429)

500 Carteret St Ste A

Beaufort, SC 29902-5066

843.524.9500 Tel.

Thomas@PendarvisLaw.com

Carey@PendarvisLaw.com

Brent P. Stewart

THE STEWART LAW OFFICES, LLC

P.O. Box 570

Rock Hill, SC 29731

803.328.5600 Tel.

Brent@StewartLawOffices.net

Counsel for Appellant

Beaufort, South Carolina

March 7, 2014

PENDARVIS LAW OFFICES, PC



March 7, 2014

Jenny Abbott Kitchings, Clerk of Court
COURT OF APPEALS FOR THE STATE OF SOUTH CAROLINA
PO Box 11629
Columbia, SC 29211

**Re: Gretchen A. Rogers, as Guardian *ad litem* for Mark A. Malloy v.
Kenneth E. Lee and LAW OFFICES OF LEE & SMITH, P.A.**

Dear Ms. Kitchings:

Enclosed for filing please find the original and one copy of the INITIAL BRIEF OF APPELLANT, APPELLANT'S DESIGNATION OF MATTER TO BE INCLUDED IN THE RECORD ON APPEAL; and PROOF OF SERVICE in regard to the above-referenced matter.

Kindly return the clocked copies in the stamped, self-addressed return envelope enclosed for your convenience

With kind regards, I remain

Sincerely,

PENDARVIS LAW OFFICES, P.C.

Thomas A. Pendarvis

TAP/alg
Enclosure
cc w/ encl:

David W. Overstreet, J.D.
Michael B. McCall, J.D.
Brent P. Stewart, J.D.
Gretchen A. Rogers, J.D.

RECEIVED

MAR 11 2014

SC Court of Appeals

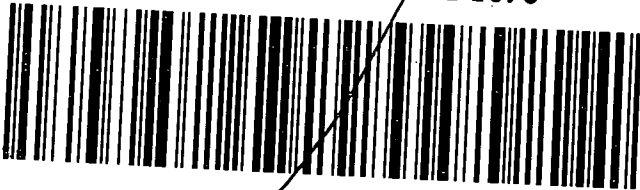
THOMAS A. PENDARVIS, J.D.
ADMITTED IN SC AND GA
Thomas@PendarvisLaw.com
Board Certified by the American Board of
Professional Liability Attorneys in
Legal Malpractice

500 CARTERET ST., SUITE A
BEAUFORT, SC 29902-5066
www.PendarvisLaw.com
T 843.524.9500
F 843.524.9501

CATHERINE B. KERNEY, J.D.
ADMITTED IN SC, VA AND DC
Carey@PendarvisLaw.com

RECEIVED
MAR 1 1 2014
SC Court of Appeals

9405 5118 9956 0040 7741 83



USPS TRACKING #

SHIP TO:
Jenny Abbott Kitchings, Clerk of Court
Court Of Appeals For The State Of South
PO Box 11629
Columbia SC 29211-1629

0004

Thomas A. Pendarvis
Pendarvis Law Offices, PC
500 Carteret Street, Suite A
Beaufort SC 29902

USPS PRIORITY MAIL®

P

\$5.32

US POSTAGE PRIORITY MAIL
COMMERCIAL BASE PRICING



062S0005283391
FROM 29906

stamps.com
03/07/2014

1944

1944

1944
1944
1944