

IN THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

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JUL 28 2014

SC Court of Appeals

APPEAL FROM HONORABLE MARVIN I. LAWSON,
THE HONORABLE J. MICHAEL BAXLEY
DARLINGTON COUNTY
TRIAL COURT CASE NO. 2013-CP-16-431

APPELLATE CASE NO. 2014-000589

Wilkins Lee Byrd, Kay R. Larsen, John Norwood Klettner, Laura K. Bynum, Ann B. Crump, Robert Larsen, Joan Rutledge Gary, John Robert Stanton, John Robert Stanton, Charles E. Stanton, Byrd L. Thomson, and John Doe and Richard Roe as Representatives of all persons unknown claiming any right, title, estate, interest in or lien upon the real estate described in the Appeal herein, including but not limited to any unknown owners, unknown heirs, unknown devisees of S. W. Byrd, Mary Moore Byrd, Etta B. Klettner, S. J. Klettner, Sr., Susan Wilkins Byrd, Mary M. Byrd, Joseph D. Rutledge, John R. Larsen, Charles E. Byrd, Jewel Butler Byrd, Wilkins Norwood Byrd, Ruth Byrd, Mariam Moore Byrd, Mary K. Stanton, S. J. Klettner, Jr., Mary R. Larsen, John Rutledge Gary, Jewel Elizabeth Byrd, or any other person, any unknown infants or persons under disability or persons in the military service designated as Richard Roe, as to the property described in the Petition herein and designated as Tax Map No. 076-00-02-004,
.....Appellants.

v.

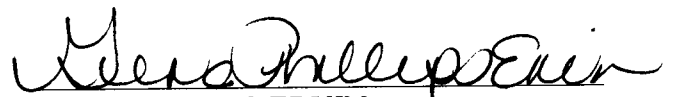
E. Butler McDonald.....Respondent.

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

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

1. Respondent's Petition for Partition;
2. Appellants' Answer and Counterclaims;
3. Respondent's Reply to Counterclaims;
4. Appellants' Amended Answer and Counterclaims;
5. November 5, 2012 Order from Probate Court re Right of First Refusal;
6. November 8, 2012 letter from Ervin to Kay Larsen;
7. Notice & Motion to Dismiss for Lack of Subject Matter Jurisdiction.
8. May 8, 2013 Second Request to Admit (Appellants);
9. May 10, 2013 Response to Request to Admit (Respondent);
10. Appellant's Notice and Motion for Court to Appoint Appraiser;
11. Order from Probate Court;
12. Order Affirming Decision of the Probate Court;
13. December 5, 2012 Transcript of Probate Hearing.
14. October 7, 2013 Transcript of Circuit Court Hearing.

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



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July 28, 2014

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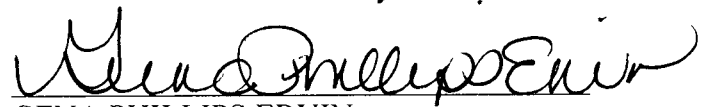
v.

E. Butler McDonald,.....Respondent.

PROOF OF SERVICE

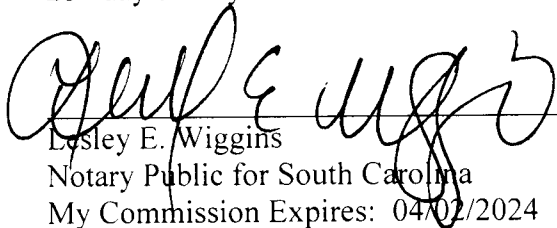
The undersigned hereby certifies that a copy of Respondent's Initial Brief and Designation of Matter to be Included in the Record on Appeal have been served upon the following via first class mail, postage pre-paid this 28th day of July, 2014.

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ATTORNEYS FOR RESPONDENT

SWORN to before me this
28th day of July, 2014



Lesley E. Wiggins
Notary Public for South Carolina
My Commission Expires: 04/02/2024