

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM LEXINGTON COUNTY
Court of Common Pleas

James O. Spence, Master-in-Equity

Trial Court Case No.: 2010-CP-32-0460
Appellate Case No.: 2014-000741

RECEIVED

SEP 12 2014

SC Court of Appeals

David R. Gooldy.....Respondent,

vs.

The Storage Center – Platt Springs, LLC.....Appellant.

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

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

1. Complaint filed on February 1, 2010;
2. Notice of Motion and Motion for Preliminary Injunction filed on February 25, 2010;
3. Form 4 Order, filed April 26, 2010;
4. Answer of The Storage Center – Platt Springs, LLC, filed on April 21, 2010;
5. Plaintiff's Notice of Motion and Motion for Summary Judgment, dated February 1, 2011;
6. Defendant's Motion for Summary Judgment, filed January 31, 2011, including Exhibit A (Affidavit of Carroll E. McGee) and Exhibit B (Affidavit of James T. Loflin);
7. Form 4 Order, dated March 4, 2011;

8. Trial Transcript: 19, 21, 23, 24, 25, 27, 30, 33, 34, 41, 49-50, 64, 86, 109-119, 120, 121, 122, 124-127, 131, 132, 136, 152, 157, 165, 166, 167, 172, 236, 237, 254, 261, 262, 266, 270, and 271;
9. Trial Order, filed August 1, 2013;
10. Defendant's Motion Pursuant to Rule 59(e), SCRC, filed August 12, 2013;
11. Transcript of Defendant's Rule 59(e) Motion, heard on November 15, 2013;
12. Rule 59(e) Order, filed March 13, 2014;
13. Plaintiff's Trial Exhibit 1 – Deed – John Donald Canaday to David R. Gooldy;
14. Plaintiff's Trial Exhibit 2 – Loflin Plat;
15. Defendant's Trial Exhibit C – Title to Real Estate, Congaree Associates to The Storage Center – Platt Springs, LLC;
16. Plaintiff's Trial Exhibit 11 – Chain of Title;
17. Defendant's Trial Exhibit J – Strasburger Plat;
18. Defendant's Trial Exhibit D – Title to Real Estate – Congaree Associates to James R. Loflin;
19. Defendant's Trial Exhibit GG – Proposed Prepared Plat of Westchester Phase II dated January 27, 1984
20. Defendant's Trial Exhibit KK – Letter to Congaree Associates c/o Carroll McGee dated July 15, 1985

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

DAVIS, FRAWLEY, LLC

By: _____


James Randall Davis 140 East Main Street
Post Office Box 489
Lexington, South Carolina 29071
Telephone: (803) 359-2512
randy@oldcourthouse.com

ATTORNEYS FOR RESPONDENT

Lexington, South Carolina
September 12, 2014

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM LEXINGTON COUNTY
Court of Common Pleas

James O. Spence, Master-in-Equity

Case No.: 2010-CP-32-0460

David R. Gooldy,

Respondent,

vs.

The Storage Center – Platt Springs, LLC,

Appellant.

PROOF OF SERVICE

I certify that I have served the Initial Brief of Respondent, by email (bdurant@sowellgray.com) (rstepp@sowellgray.com) and by U.S. regular mail, postage pre-paid on September 12, 2014, addressed to its attorney of record, Robert E. Stepp, Esquire and Bess J. DuRant, Esquire, Sowell Gray Stepp & Laffitte, L.L.C., 1310 Gasden Street, Post Office Box 11449, Columbia, South Carolina 29211.


James Randall Davis
randy@oldcourthouse.com
DAVIS FRAWLEY, LLC
140 East Main Street (29072)
Post Office Box 489
Lexington, South Carolina 29071
Tel: (803) 359-2512
Attorney for Respondent

RECEIVED
SEP 12 2014
SC Court of Appeals