

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM SALUDA COUNTY
Court of Common Pleas

The Honorable Letitia H. Verdin, Circuit Court Judge

Appellate Case No. 2014-001588

RECEIVED

OCT 23 2014

SC Court of Appeals

Carl Eugene Berry,Respondent,

v.

Jess T. Reichardt and Thomas H. Reichardt,Appellants.

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



Philip H. Woolhiser
SC Bar No.: 12466
112 Trafalgar Street, SW
Aiken, South Carolina 29801
Phone: 803-648-9994
Attorney for Appellants

Other Counsel of Record:

Austin & Rogers, P.A.

Attn: Richard L. Whitt, Esquire

Attn: Jefferson D. Griffith, III

PO Box 11716,

Columbia, South Carolina 29211

In Accordance With SC Appellant Court Rule 209,
Appellants' Designation of Matter To Be Included
In The Record on Appeal Follows:

Orders: "Consent Order", filed 8/5/2013

Judgments:

1. "Order For Judgment By Default", dated 9/26/2013
2. "Order For Judgment", dated 6/18/2014

Motion: "Motion To Amend", dated 10/10/2013

Affidavit: "Attorney Kathryn Rauton"

Transcript:

| <u>Page #</u> | <u>Lines</u> |
|---------------|---------------------------|
| 12 | Lines 04 - 23 |
| 13 | Lines 18 – 25* |
| 14 & 15 | Lines All* |
| 16 | Lines All* |
| 17 | Lines 24 – 25* |
| 20 | Lines 7- 19* |
| 23 | Lines 13 – 24* |
| 24 | Lines 13 – 19* |
| 26 | Lines 9 – 10* |
| 27 | Lines 07 – 21* |
| 28 | Lines 19 – 23* |
| 29 | Lines 05 – 17* |
| 32 | Lines 16 - 25 |
| 33 | Lines 01 - 22 |
| 34 | Lines 03 – 04 and 21 - 23 |
| 36 | Lines 18 - 24 |
| 43 | Lines 07 - 15 |

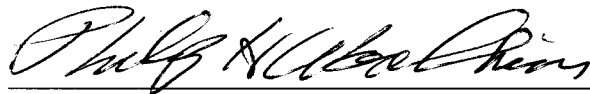
| <u>Page # (Continued)</u> | <u>Lines (Continued)</u> |
|---------------------------|--------------------------|
| 44 | Lines 1 – 22 |
| 48 | Lines 08 - 17 |
| 51 & 52 | Lines All |
| 53 | Lines 01 – 07 |

*Respondent's testimony as a whole appears in all lines of pages 13 – 29.

Exhibits: 1934 Plat of Respondent's Land

CERTIFICATION

I certify that this Designation of Matter to be Included in the Record on Appeal, contains no matter which is irrelevant to this Appeal.



Philip H. Woolhiser, Esquire
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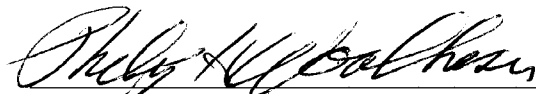
Carl Eugene Berry, Respondent,

v.

Jess T. Reichardt and Thomas H. Reichardt, Appellants.

PROOF OF SERVICE

I certify that I have served the Reply Brief of Appellants, the Appellants' Designation of Matter to be Included in the Record on Appeal and this Proof of Service on Carl Eugene Berry by depositing applicable copies in the United States Mail, postage prepaid, on October 20, 2014, addressed to his attorney of record: Austin & Rogers, P.A., Attn: Richard L. Whitt, Esquire, PO Box 11716, Columbia, South Carolina 29211.



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October 20, 2014

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October 20, 2014

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OCT 23 2014

SC Court of Appeals

The Honorable Jenny Abbott Kitchings
Clerk of the South Carolina Court of Appeals
Post Office Box 11629
Columbia, South Carolina 29211-1629

Subject: Carl Eugene Berry, Jr., vs. Jess T. Reichardt and Thomas H. Reichardt
Case No.: 2014-001588

Dear Ms. Kitchings,

A copy of the Appellants' Reply To Initial Brief of Respondent, Appellants' Designation of Matter and the original Proof of Service are enclosed, in compliance with Rule 208 (a)(1).

An extra copy of the Reply's Caption is enclosed. Please stamp the extra copy "received" and return the stamped copy in the SASE.

Sincerely yours,



Philip H. Woolhiser
Attorney for Appellants

PW/mw
Enclosures

cc: Austin & Rogers, P.A.
Attn: Richard L. Whitt, Esquire