

THE STATE OF SOUTH CAROLINA  
In The Court Of Appeals

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OCT 22 2014

**SC Court of Appeals**

APPEAL FROM FLORENCE COUNTY  
Court of Common Pleas

Honorable R. Knox McMahon, Circuit Court Judge

Case No. 2013-CP-21-1334 and Case No. 2013-ES-21-190  
Appellate Case No.: 2013-002810

In the Matter of the Estate of Eris Singletary Smith

In re:

Eris Gail Smith,.....Appellant,

v.

Judy Smith Jones, Jacqueline Brown, James Ervin Smith  
Timothy David Smith, Jamie Smith and Mikie Smith, Defendants

Of whom Judy Smith Jones is the.....Respondent.

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

Respondents propose the following to be included in the Record on Appeal (some of these may have also been designated by Appellant):

1. Motion for Summary Judgment, filed May 31, 2013.
2. Supporting affidavit of attorney Robert E. Lee also filed May 31, 2013 (with all attached exhibits to affidavit – the Lee will, decedent’s notes, Sloan notes, etc.).
3. Memorandum in Support of Motion for Summary Judgment filed August 7, 2013.
4. Summary Judgment Order, dated October 22, 2013, and filed October 24, 2013.
5. Order of December 4, 2013, Denying Motion for Reconsideration of Summary Judgment.

6. Transcript of August 7, 2013 Summary Judgment Hearing, pages 6-7, 15-20,32-33.
7. Brittany Hooks Deposition Transcript, pages 9-10.
8. Cyrus Sloan Deposition Transcript, pages 5-8, 26-29.
9. Pam Jordan Deposition Transcript, pages 4-6, 25, 30-34, 39, 40-41.
10. Respondent's Deposition Transcript, pages 61-75.
11. Appellant's Deposition Transcript, pages 12, 17-25, 31-37, 67-68, 74-76, 78, 99-100, 112-113, 122, 124-125, 129, 132, 135-138, 142-153.
12. Objection email of October 9, 2013 addressing late submissions to trial court.

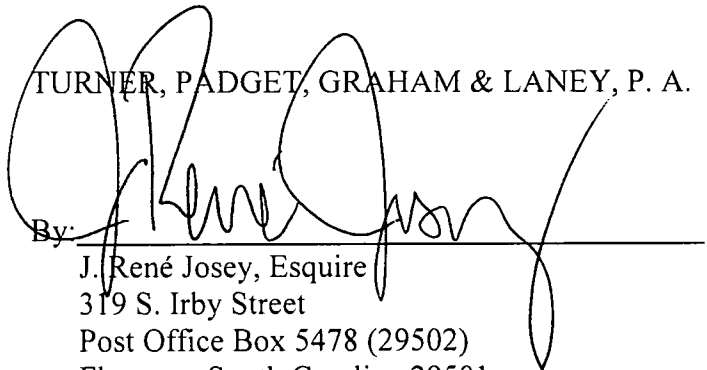
**SCACR 209(C) CERTIFICATION**

Pursuant to SCACR 209(c), we each certify that this designation contains no matter which is irrelevant to the appeal.

Florence, South Carolina

October 20, 2014

TURNER, PADGET, GRAHAM & LANEY, P. A.

By: 

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ATTORNEYS FOR THE RESPONDENT

THE STATE OF SOUTH CAROLINA  
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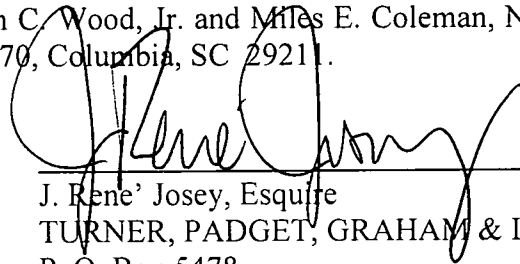
v.

Judy Smith Jones, Jacqueline Brown, James Ervin Smith  
Timothy David Smith, Jamie Smith and Mikie Smith, Defendants

Of whom Judy Smith Jones is the.....Respondent.

**PROOF OF SERVICE**

I certify that I have served Respondent's Designation of Matter for the Record by depositing one (1) copy of it in the United States Mail, postage prepaid, on October 20, 2014, addressed to: C. Mitchell Brown, William C. Wood, Jr. and Miles E. Coleman, Nelson, Mullins Riley & Scarborough, LLP, P.O. Box 11070, Columbia, SC 29211.



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Attorneys for Respondent

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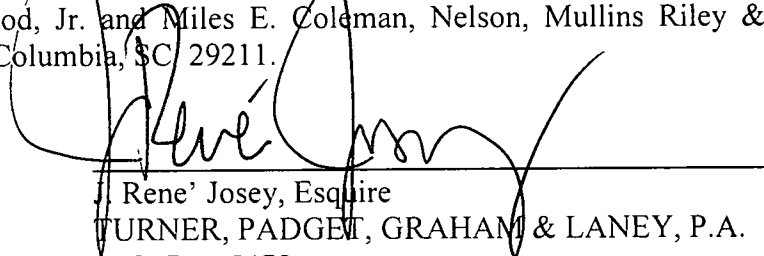
v.

Judy Smith Jones, Jacqueline Brown, James Ervin Smith  
Timothy David Smith, Jamie Smith and Mikie Smith, Defendants

Of whom Judy Smith Jones is the.....Respondent.

**PROOF OF SERVICE**

I certify that I have served Respondent's Initial Brief by depositing one (1) copy of it in the United States Mail, postage prepaid, on October 20, 2014, addressed to: C. Mitchell Brown, William C. Wood, Jr. and Miles E. Coleman, Nelson, Mullins Riley & Scarborough, LLP, P.O. Box 11070, Columbia, SC 29211.



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October 20, 2014

Hon. Jenny Abbott Kitchings  
Clerk, South Carolina Court of Appeals  
P.O. Box 11629  
Columbia, SC 29211

Re: In the Matter of the Estate of Smith: Eris Gail Smith, Appellant v. Judy Smith Jones, Respondent  
Case No. 2013-CP-21-1334 and Case No. 2013-ES-21-190  
Tracking No.: 2013-002810  
TPGL File No.: 12331.101

Dear Ms. Kitchings:

Enclosed please find the following documents for filing on behalf of the *Respondent* (Judy Smith Jones):

1. Respondent's Initial Brief with Proof of Service  
(unbound original and one copy for return)
2. Respondent's Designation of Matter for the Record as with Proof of Service  
(unbound original and one copy for return)

Please file the originals in your office and return a clocked copy of each to us in the self-addressed stamped envelope provided. By copy of this letter to counsel for the Appellant (C. Mitchell Brown, William C. Wood, Jr. and Miles E. Coleman, Nelson, Mullins Riley & Scarborough, LLP) we are herewith serving them with copies of all of these items as well.

If you have any questions, please give us a call.

Sincerely,

TURNER, PADGET, GRAHAM & LANEY, P.A.

J. René Josey

JRJ  
Enclosures

Cc: C. Mitchell Brown, Esquire  
William C. Wood, Jr., Esquire  
Miles E. Coleman, Esquire  
Jeff L. Payne, Esquire (e-mail only)  
Judy Smith Jones

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