

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM HORRY COUNTY
Court of Common Pleas

Larry B. Hyman, Circuit Court Judge

Case Nos. 2009-CP-26-1281
2009-CP-26-3127
2009-CP-26-3128

J. Gregory Hembree, Solicitor, on Behalf of the Horry County Police Department,
Respondent,

v.

Taurus 38 Special Pistol, SN: SF53109, 1994 Monaco RV, SN: VIN: 1RF120611R1010972 and
One Thousand Eight Hundred Forty-Seven Dollars (\$1,847.00), Defendant Property,

Michaela Albin, Individually and as Personal Representative of the Estate of Michael J. Albin,
Appellant.

DESIGNATION OF MATTER
TO BE INCLUDED IN THE RECORD ON APPEAL

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

Orders

Order of the Hon. Steven H. John dated September 23, 2009
Order of the Hon. Larry B. Hyman, Jr. dated August 12, 2011
Order of the Hon. Larry B. Hyman, Jr. dated November 21, 2013
Order of the Hon. Larry B. Hyman, Jr. dated May 12, 2014

Pleadings

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Complaint filed March 27, 2009
Answer and Counterclaim filed June 22, 2009

Transcripts

Transcript 1: trial transcript dated July 28, 2011
pp. 1, 7-9, 15-35, 37-39, 49-52, 56, 58-59, 68-73, 86-87, 92, 96-105, 110, 114-116, 118-121,
123-126, 128-131, 136-138, 140-146, 150, 155-160, 161, 165-167, 170, 180-181, 184-191, 193-
199, 203-204, 208-220.

Transcript 2: trial transcript dated November 12, 2013
pp. 3-13, 15-22, 26, 31, 37, 43, 56-59

Transcript 3: trial transcript dated January 31, 2014
pp. 4-9, 12-34, 36, 41, 61, 64-66, 68, 71-78, 83-84

Exhibits

Transcript 1: Plaintiff's Exhibit 3
Transcript 2: Plaintiff's Exhibit 2, Defendant's Exhibits 1-5
Transcript 3: Defendant's Exhibits 1, 2, 4, 5

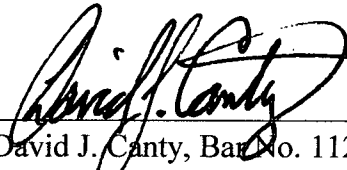
Other Materials

Plaintiff's Answers to Defendant's Interrogatories filed April 6, 2009
Plaintiff's Affidavit for Publication filed April 16, 2009
(w/attached certified mail envelope)
Order of Publication filed April 16, 2009
Defendant's Requests to Admit dated June 5, 2009
Plaintiff's Answer to Request to Admit filed July 22, 2009
(w/attachments)
Plaintiff's Answers to Request for Production of Documents filed August 4, 2009
Defendant's memorandum dated September 21, 2009
Defendant's Motion to Amend Judgment filed August 26, 2011
(w/attached Pre-Trial Brief)
Defendant's Request for Production dated October 11, 2013
Defendant's Request to Admit dated October 16, 2013
Plaintiffs Answers to Defendant's Request to Admit/Interrogatories filed November 7, 2013
Plaintiffs Supplemental Answers to Defendant Interrogatories dated November 18, 2013
(w/attached Affidavit)

Plaintiffs Answers to Defendants Request to Admit dated November 18, 2013
Respondent's Memorandum of Law dated February 6, 2014
Defendant's Reply Memorandum dated February 17, 2014
Defendant's Affidavit of Attorneys Fees dated February 25, 2014
Defendant's Proposed Order submitted February, 2014

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

December 5, 2014



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Larry B. Hyman, Circuit Court Judge

Case Nos. 2009-CP-26-1281
2009-CP-26-3127
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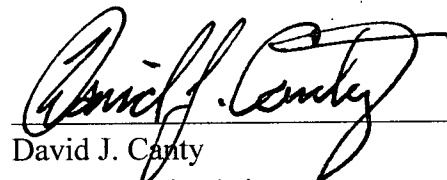
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One Thousand Eight Hundred Forty-Seven Dollars (\$1,847.00), Defendant Property,

Michaela Albin, Individually and as Personal Representative of the Estate of Michael J. Albin,
Appellant.

PROOF OF SERVICE

I certify that I have served the Initial Brief of Appellant and Designation of Matter to be included
in the Record on Appeal on J. Gregory Hembree, Esq. by depositing a copy of them in the
United States Mail, postage prepaid, on December 8, 2014, addressed to the attorney of record,
James R. Battle, Esq., P.O. Box 530, Conway, S.C. 29528.

December 8, 2014



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December 8, 2014

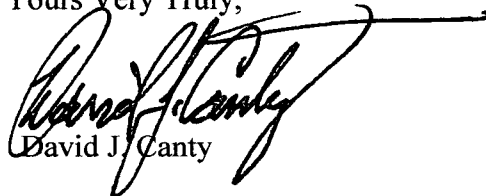
Hon. V. Claire Allen
P.O. Box 11629
Columbia, S.C. 29211

Re: J. Gregory Hembree v. Taurus
Appellate Case No.: 2014-001344

Dear Madam Clerk,

Enclosed please find our Initial Brief of Appellant and Designation of Matter to be included in the Record on Appeal in this matter, together with proof of service upon opposing counsel.

Thanking You and With Best Wishes,
Yours Very Truly,



David J. Canty

cc: clt.
James R. Battle, II, Esq.

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SC Court of Appeals

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Attorney at Law

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