

THE STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

APPEAL FROM THE BEAUFORT COUNTY COURT OF COMMON PLEAS
FOURTEENTH JUDICIAL CIRCUIT

CARMEN T. MULLEN, PRESIDING JUDGE

CASE NO: 2011-CP-07-4796

RODNEY ALLGIRE,

Respondent,

vs.

MARSHALL C. BLANTON,

Appellant.

RESPONDENT'S DESIGNATION OF MATTER

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

1. Complaint
2. Answer
3. Transcript of Record of trial, January 6 - 8, 2014, as follows:

Ppgs. 1 -5;

Pg. 34, line 21 - pg. 35, line 4;

Opening Statement - Ppgs. 68 - 75;

Trogdon testimony - Ppgs. 86 - 105;

Robinson testimony - Ppgs. 105 - 124;

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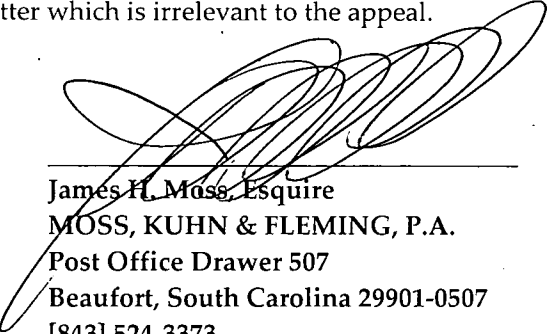
SEP 25 2014

SC Court of Appeals

- Brewton testimony - Ppgs. 127 - 145;
- Cole testimony - Ppgs. 145 - 162 ;
- Cooper testimony - Ppgs. 165 - 178;
- Allgire testimony - Ppgs 179 - 233 and ppgs. 235 - 236;
- Blocker testimony - Ppgs. 238 - 281;
- Zucker testimony - Ppgs. 285 - 292;
- Hrabanek testimony - Ppgs. 293 - 304;
- Terri Allgire testimony - Ppgs. 305 - 310;
- Respondent's Motion to Take Note of § 19-1-150, S.C. Code of Laws - Pg. 316;
- Appellant's Motions for Directed Verdict - Ppgs. 318 - 319;
- Eugene Miller testimony - Pg. 320, ll. 7 - 13; pg. 322, l. 18 - pg. 323, ll. 11; pg. 325, ll. 19 - 25;
pg. 327, ll. 8 - 15; pg. 329, ll. 7 - 22; pg. 331, ll. 4 - 21;
- Jarrett Cook testimony - Pg. 334, ll. 1 - 23; pg. 335, ll. 5 - 25; pg. 336, ll. 1 - 8; pg. 337, ll. 5 - 25;
Pg. 338, ll. 10 - 25; pg. 339, ll. 1 - 6, ll. 16 - 25; pg. 340, ll. 20 - 25;
Pg. 341, ll. 1 - 7; ppgs. 344 - 352;
- Joey Blythe testimony - ppgs. 375 - 395;
- Joseph Osborne testimony - Ppgs. 396 - 407;
- Chris Carlisle testimony - Ppgs. 419 - 425;
- Dennis March testimony - Ppgs. 438 - 442;
- Marshall Blanton testimony - Ppgs. 449, l. 8 - pg. 496, l. 14;
- Appellant's Motions - Ppgs. 500 - 501;
- Charge to the Jury - Ppgs. 562 - 581.
4. Plaintiff's Exhibits, 1 - 21; Court's Exhibits, 1 - 5.
 5. Verdict Form
 6. Motion for New Trial, New Trial *Nisi* Remittitur, and New Trial JNOV

7. Memorandum in Support of Motion for New Trial
8. Financial Declaration
9. Transcript of Post-Trial motions, February 18, 2014, Ppgs. 4 - 53
10. Appellant's Notice of Appeal.

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



James H. Moss, Esquire
MOSS, KUHN & FLEMING, P.A.
Post Office Drawer 507
Beaufort, South Carolina 29901-0507
[843] 524-3373
[843] 524-1302 FX
jim@mossandkuhn.com

Attorneys for Respondent

September 22, 2014

CERTIFICATE OF SERVICE

This is to certify that I have this date served a copy of the within and foregoing *Respondent's Designation of Matter and Respondent's Initial Brief* upon the counsel for the Appellant, as follows, to wit:

E. Mitchell Griffith, Esquire
Griffith, Sadler & Sharp, P.A.
Post Office Box 570
Beaufort, South Carolina 29901-0570

by placing a copy of same in the United States Mail with sufficient postage affixed thereon.



JAMES H. MOSS

Beaufort, South Carolina

September 23, 2014

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LAW OFFICES

MOSS, KUHN & FLEMING, P.A.

JAMES H. MOSS
H. FRED KUHN, JR.
CORY H. FLEMING*

1501 North Street P.O. Drawer 507- Beaufort, South Carolina 29901-0507
TELEPHONE 843-524-3373
FAX 843-524-1302

KIMBERLY L. SMITH
EVE M. FLEMING

*ALSO MEMBER OF GA BAR

September 23, 2014

V. Claire Allen, Deputy Clerk
S.C. Court of Appeals
Post Office Box 11629
Columbia, South Carolina 29211

RE: RODNEY ALLGIRE vs. MARSHALL BLANTON
C/A #2011-CP-07-04796
APPELLATE CASE NO: 2014-000550

Dear Ms. Allen:

Enclosed please find for filing the original *Respondent's Initial Brief and Respondent's Designation of Matter*. I have also enclosed a copy of each of these instruments which I would appreciate your clocking and returning to me in the envelope provided for your convenience. Please note the *Certificate of Service* which indicates service has been effected upon counsel for the Appellant. With kind regards, I am

Very truly yours,

MOSS, KUHN & FLEMING, P.A.


James H. Moss

JHM:dll

cc: E. Mitchell Griffith, Esquire

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SC Court of Appeals