

THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

APPEAL FROM CHARLESTON COUNTY  
Court of Common Pleas  
The Honorable Mikell R. Scarborough, Master in Equity

**RECEIVED**  
MAR 02 2015  
**SC Court of Appeals**

Appellate Case No. 2014-002242

Windswept Villas III Horizontal Property Regime..... Respondent,

v.

Elaine Devlin Peery a/k/a Elaine D. Peery..... Appellant.

RESPONDENT'S DESIGNATION OF MATTER  
TO BE INCLUDED IN THE RECORD ON APPEAL

Respondent Windswept Villas III Horizontal Property Regime proposes the following to be included in the Record on Appeal:

**Orders:**

- 1 Form 4 Order denying Peery's Request for a Continuance filed on February 9, 2012
2. Form 4 and accompanying Order on Cross-Claim (Judgment) filed on March 29, 2012
- 3 Order of Reference (and Notice of Supplemental Proceedings) filed on October 31, 2013
- 4 Order on Supplemental Proceedings filed on January 15, 2014
- 5 Form 4 Order on Supplemental Proceedings filed May 28, 2014
- 6 Order on Supplemental Proceedings filed on June 30, 2014
7. Order on Cantrell's Motion to Withdraw as Counsel filed on June 30, 2014
- 8 Order on Judgment Creditor's Motion for a Rule to Show Cause & Order of Contempt (& Notice of Contempt Hearing) filed June 30, 2014
9. Consent Order by Cantrell and Peery filed July 30, 2014
10. Order on Supplemental Proceedings filed on August 29, 2014
11. Order of Contempt and Sanctions filed on August 29, 2014
12. Form 4 Order on Peery's Motion to Vacate filed August 29, 2014
13. Order of Contempt & Sanctions filed on August 29, 2014 & September 11, 2014

- 14 Supplemental Proceedings Order filed September 4, 2014
15. Order of South Carolina Court of Appeals filed on September 18, 2014 and entered with Charleston County Court of Common Pleas on October 9, 2014
16. Order for Costs from South Carolina Court of Appeals filed on December 3, 2014 and entered with Charleston County Court of Common Pleas on December 5, 2014

**Pleadings:**

17. Windswept Reply to Peery Cross-Claim filed on December 11, 2009

**Transcripts:**

18. Hearing Transcript for Receiver Funds dated March 27, 2012
19. Hearing Transcript for Supplemental Proceeding dated January 13, 2014

**Motions, Notices:**

- 20 Windswept's Motion to Appoint a Receiver and to Exclude Peery from Use of the Common Areas and Recreational Facilities of Windswept Villas III filed on July 15, 2011
21. Notice of Hearing on Vaughn's Motion to be Relieved as Counsel & Windswept's Motion to Appoint a Receiver and to Exclude Peery filed on July 29, 2011
22. Notice of Status Conference filed on September 28, 2011
23. Notice of Final Foreclosure Hearing filed on October 13, 2011
24. Notice of Cancellation of Final Foreclosure Hearing filed on November 23, 2011
25. Notice of Final Foreclosure Hearing filed on December 2, 2011 and Certificate of Service
26. Notice of Hearing on Receiver Funds and Certificate of Service filed on March 14, 2012
27. Notice of Supplemental Proceedings located in Order filed on October 31, 2013
28. Cantrell Notice of Appearance filed on January 13, 2014
29. Motion to Vacate filed on April 14, 2014
- 30 Cantrell Notice of Merits Hearing filed on May 30, 2014
- 31 Motion on Rule to Show Cause and exhibits filed on June 10, 2014
- 32 Notice of Hearing filed on June 10, 2014;
- 33 Notice of Contempt Hearing located in Order filed June 30, 2014
34. Notice of Appeal filed on September 25, 2014

**Briefs:**

35. Windswept's Memorandum in Opposition to the Judgment Debtor's Untimely Motion to Vacate and exhibits filed on May 6, 2014
- 36 Windswept's Reply to Peery's Submission in Support of her Motion to Vacate and exhibits filed June 17, 2014

**Affidavits:**

37. Affidavit of Summers filed February 9, 2012
38. Affidavit of Service for Contempt and Sanctions hearing, filed on July 18, 2014
39. Affidavit of Monoc filed May 6, 2014
40. Affidavit of Monoc filed on June 10, 2014

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

To the extent the items designated herein are duplicative of matters designated by the other parties to this appeal, I consent to such items being included only once in the Record on Appeal.



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Katie Fowler Monoc (S.C. Bar No. 78131)  
Pratt-Thomas Walker, P.A.  
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(843) 727-2200  
Attorneys for Respondent Windswept Villas III  
Horizontal Property Regime

February 27, 2015  
Charleston, South Carolina

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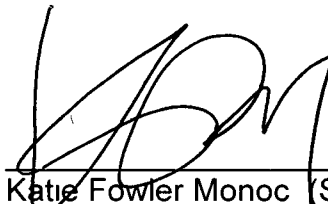
v

Elaine Devlin Peery a/k/a Elaine D Peery . . . . . Appellant

PROOF OF SERVICE

I certify that I have served the Initial Brief and Designation of Matter of Respondent Windswept Villas Horizontal Property Regime on Appellant by depositing a copy of it in the United States Mail, postage prepaid, on February 26, 2015, addressed to his attorney of record for Appellant, Vernee C Hancock, Post Office Box 2276, Summerville, SC 29484.

February 27, 2015



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Horizontal Property Regime

**PRATT-THOMAS | WALKER**

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February 27, 2015

The Honorable Jenny Abbott Kitchings  
Clerk of the South Carolina Court of Appeals  
John C Calhoun Building  
1015 Sumter Street  
Columbia, SC 29201

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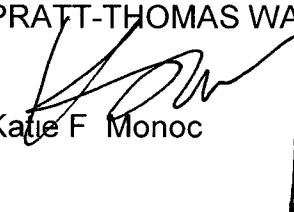
RE: Windswept Villas III Horizontal Property Regime v. Elaine Devlin Peery  
Appellate Case No. 2014-002242

Dear Ms Kitchings

Please be advised that this firm represents Respondent Windswept Villas III Horizontal Property Regime in the above referenced matter. Enclosed please find an original and one copy of Windswept Villas III Horizontal Property Regime's initial brief and designation of matter. I would appreciate your returning file-stamped copies of the initial brief and designation of matter in the enclosed self-addressed, stamped envelope provided for that purpose. Thank you for your assistance and please let me know if you have any questions.

Yours very truly,

PRATT-THOMAS WALKER, P A

  
Katie F Monoc

KFM/mls  
Enclosures (as stated)

cc Vernee C Hancock, Esquire  
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