

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM CHARLESTON COUNTY
CASE No. 2011- CP-10-1084
Circuit Court Judge R. Markley Dennis, Jr.

ROOSEVELT SIMMONS..... Appellant

Vs.

MASE and COMPANY, LLC,
J. AL CANNON, JR.,
CHARLESTON COUNTY SHERIFF'S DEPARTMENT,
CHARLESTON COUNTY REVENUE COLLECTIONS DEPARTMENT
and
HARRY LONG..... Respondents

DESIGNATION OF MATTER TO BE INCLUDED
IN THE RECORD ON APPEAL

RECEIVED
MAR 05 2015
SC Court of Appeals

Edward A. Bertele, Esq.
1812 Pierce Street
Charleston, SC 29492
843-471-2082
SC Bar No. 72521
Attorney for Appellant
Roosevelt Simmons

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

1. Order of Remand filed February 7, 2012
2. Form 4 Order filed November 20, 2012 denying summary judgment as to all defendants 3.
3. Order filed June 21, 2013 granting summary judgment to all defendants
4. Order filed October 13, 2014 denying plaintiff's motion for reconsideration to alter or amend the final Order
5. Complaint filed February 11, 2011
6. Lis Pendens filed February 11, 2011
7. Answer of Mase and Company, LLC filed March 17, 2011
8. Amended Complaint filed March 23, 2011
9. Notice of Removal filed March 25, 2011
10. Answer of Charleston County defendants to Amended Complaint filed March 31, 2011
11. Answer, Cross claim and Counterclaim of Mase and Company, LLC to Amended Complaint filed April 28, 2011
12. Answer of Charleston County defendants to Crossclaim filed May 17, 2011
13. Plaintiff's Answer to Counterclaim of Mase and Company, LLC filed May 19, 2011
14. Second Amended Complaint filed October 15, 2011
15. Answer of County Defendants to Second Amended Complaint filed October 28, 2011
16. Mase and Company, LLC Answer to Second Amended Complaint, Cross and Counterclaim filed October 28, 2011
17. Answer of Plaintiff of Counterclaim of Defendant Mase and Company, LLC filed November 11, 2011.
18. Answer of County Defendants to Crossclaim of Defendant Mase and Company, LLC

- filed November 11, 2011.
19. Plaintiff's Motion for Voluntary dismissal and Stay filed November 7, 2011
 20. County Defendants' opposition to Plaintiff's motion for voluntary dismissal and Stay filed November 22, 2011.
 21. Charleston County Defendants Motion for Summary Judgment filed February 22, 2012
 22. Charleston County Defendants Motion to Dismiss as to Defendant Harry Long filed February 22, 2012.
 23. Plaintiff's motion to Amend Second Amended Complaint filed April 2, 2012
 24. County Defendants' Motion for Summary judgment as to Cross Claim of Defendant Mase and Company, LLC filed June 27, 2012
 25. Plaintiff's motion for partial summary judgment filed July 16, 2012
 26. Plaintiff's Motion to compel discovery, filed July 23, 2012
 27. County Defendants' Memorandum in support of Summary Judgment filed July 27, 2012
 28. Plaintiff's opposition to motions of Charleston County Defendants and Harry Long for Summary judgment filed August 2, 2012 .
 29. Affidavit of Roosevelt Simmons filed August 2, 1012
 30. County Defendants' Supplemental Memorandum in support of Motions for Summary Judgment filed August 14, 2012
 31. County Defendants Memorandum in opposition to Plaintiff's motion for partial summary judgment filed August 14, 2012
 32. County Defendants' Memorandum in Opposition to Motion to amend Second Amended Complaint filed August 14, 2012
 33. Plaintiff's Further Opposition to motions of Charleston County Defendants and

- Harry Long for Summary judgment filed August 15, 2012
34. Plaintiff's Supplemental opposition to motions of Charleston County Defendants and Harry Long for Summary judgment filed August 15, 2012
 35. County Defendants' Amended Supplemental Memorandum in support of Motions for Summary Judgment filed
 36. Plaintiff's Opposition to Supplemental Memorandum of Charleston County Defendants and Harry Long for Summary judgment filed August 17, 2012
 37. Plaintiff's Opposition to Amended Supplemental Memorandum of Charleston County Defendants and Harry Long for Summary judgment filed September 10, 2012.
 38. County Defendants' Amended Memorandum in opposition to Plaintiff's motion for Partial Summary Judgment filed August 31, 2012
 39. Plaintiff's Amended Motion for Partial Summary Judgment filed September 5, 2012
 40. Plaintiff's Reply to Amended Memorandum of County Defendants in Opposition to Partial Summary Judgment filed November 7, 2012
 41. County Defendants' motion for reconsideration of Order dated November 20, 2012 denying summary judgment filed November 29, 2012.
 42. Plaintiff's Amendment to Second Amended Complaint filed November 30, 2012
 43. Mase and Company, LLC Answer to Amendment to Second Amended Complaint, Counterclaim and Crossclaims filed December 11, 2013.
 44. County Defendants Answer to Amendment to Second Amended Complaint filed December 17, 2012
 45. County Defendants' Answer to Crossclaim in Answer of Mase and Company, LLC to Amendment to Second Amended Complaint filed December 27, 2012

46. Plaintiff's Motion to Alter or Amend Order dated November 20, 2012 dismissing the Complaint as to defendant Harry Long filed December 6, 2012
47. Plaintiff's opposition to County Defendants' Motion for reconsideration filed February 13, 2013
48. Plaintiff's Motion to Alter or Amend Judgment filed July 10, 2013
49. Transcript of Motion hearing November 7, 2012
50. Transcript of Motion hearing March 20, 2013

CERTIFICATION

Counsel for appellant hereby certifies that the Designation of Matter to be included in Record on Appeal contains no matter which is irrelevant to the appeal.


Edward A. Bertele

February 27, 2015

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM CHARLESTON COUNTY
CASE No. 2011- CP-10-1084
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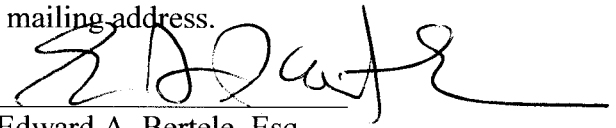
ROOSEVELT SIMMONS..... Appellant

Vs.

MASE and COMPANY, LLC,
J. AL CANNON, JR.,
CHARLESTON COUNTY SHERIFF'S DEPARTMENT,
CHARLESTON COUNTY REVENUE COLLECTIONS DEPARTMENT
and
HARRY LONG..... Respondents

CERTIFICATION OF SERVICE

I hereby certify that a true copy of the Appellant's Initial brief, Designation of Matter to be included in Record on Appeal and Appellant's Motion for leave to file over length Initial Brief was served upon the Respondents attorneys, Christopher Dorsel, Esq. and Wendy Keefer, Esq. by regular mail postage prepaid at their last known mailing address.


Edward A. Bertele, Esq.

February 27, 2015

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February 27, 2015

Ms. V. Claire Allen, Deputy Clerk
Court of Appeals
1015 Sumter St.
PO Box 11629
Columbia, SC 29211

**Re: Simmons v. Mase and Co., LLC et al.
Case No. 2014-002575**

Dear Ms. Allen:

I am enclosing for filing the following: Appellant's Initial Brief and Designation of Matter to be included in Record on Appeal; the original and 6 copies of Appellant's Motion for leave to file over length Initial Brief; and original Certification of Service. Also enclosed is my check for the filing fee, \$25.00. If you have any questions, please do not hesitate to call. Thank you for your kind assistance.

Very truly yours,

Edward A. Bertele

Encl:
CC: Chris Dorsel, Esq. w/encl
Wendy Keefer, Esq. “

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