

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

APPEAL FROM SPARTANBURG COUNTY  
In the Court of Common Court

The Honorable J. Derham Cole, Circuit Court Judge

**RECEIVED**

APR 13 2015

**SC Court of Appeals**

Case No. 2014-CP-42-1081

Lenora Whitfield Tucci,

Appellant,

v.

April Tucci and Robert D.  
Ganyard, Personal  
Representatives of the Estate  
of Francis Paul Tucci, Jr.

Respondents.

DESIGNATION OF MATTER

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

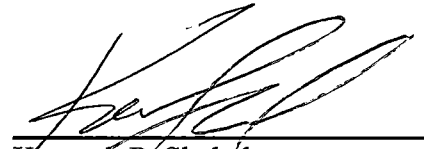
1. Order Dismissing Appeal (filed September 30, 2014)
2. Motion for Reconsideration (filed October 13, 2014)
3. Order on Motion for Reconsideration (filed November 20, 2014)
4. Probate Court Order (filed March 19, 2014)
5. Notice of Intent to Appeal to Circuit Court (filed March 19, 2014)
6. Appellant's Statement of Issues on Appeal and Proof of Service (filed May 15, 2014)
7. Respondent's Motion to Dismiss Appeal (filed May 23, 2014)
8. Transcript of Court of Common Pleas (p. 1-11)
9. Transcript of Probate Court (p. 1-51)

10. Petition / Order for Informal Probate and Appointment (Filed September 21, 2012)
11. Summons/Petition for Elective Share (Filed May 31, 2013)
12. Notice of Disallowance of Claim of Elective Share (Filed June 13, 2013)
13. Motion to Dismiss Elective Share Petition (Filed June 13, 2013)
14. Complaint for Separate Maintenance (Appellant's Trial Exhibit #1)
15. Family Court Temporary Order filed February 21, 2012 (Appellant's Trial Exhibit #2)
16. Order of Dismissal of Family Court Case Filed March 29, 2013 (Appellant's Trial Exhibit #3)
17. Title to Real Estate (Appellant's Trial Exhibit #6)
18. Promissory Note from Appellant-Respondent to Allied Home Mortgage Capital dated July 1, 2008 (Respondent's Trial Exhibit #1)
19. Promissory Note from Appellant-Respondent to Allied Home Mortgage Capital dated November 16, 2009 (Respondent's Trial Exhibit #2)
20. Non-Applicant Affidavit (Respondent's Trial Exhibit #3)
21. Uniform Residential Loan Application (Respondent's Trial Exhibit #4)
22. Borrower's Certification and Authorization (Respondent's Trial Exhibit #5)
23. Payment Letter to Borrower (Respondent's Trial Exhibit #6)
24. Respondent's Memorandum of Law (Filed February 3, 2014)

25. Last Will and Testament of Decedent (Filed August 13, 2012)

The undersigned attorney for the Appellant hereby certifies that this designation contains no matter which is irrelevant to this appeal.

April 8, 2015



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Campbell & Shabel, Attorneys at Law  
175 Magnolia Street, Suite 201  
Spartanburg, SC 29306  
(864) 583-0001  
Fax: (864) 583-1199  
Attorney for Appellant

Other Counsel of Record:  
James W. Shaw, Esq.  
Heather Gwinn, Attorney  
Dennis, Shaw & Drennan, LLC  
103 Lafayette Street  
Spartanburg, SC 29304

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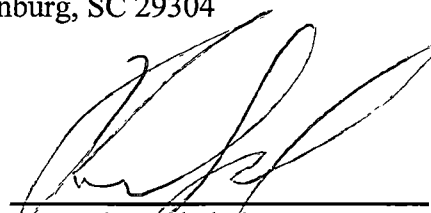
**PROOF OF SERVICE -**

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I certified that I have served the Appellant's Initial Brief and Designation of Matter by hand delivering said documents directly to the offices of the Respondent's attorney of Record as set forth below:

James W. Shaw, Esq.  
Heather Gwinn, Attorney  
Dennis, Shaw & Drennan, LLC  
103 Lafayette Street  
Spartanburg, SC 29304

April 9, 2015



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Kenneth P. Shabel  
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SC Court of Appeals

Shawn M. Campbell  
Kenneth P. Shabel

# Campbell & Shabel

A T T O R N E Y S   A T   L A W

Sender's Email: [kshabel@gc-lawfirm.com](mailto:kshabel@gc-lawfirm.com)

OF COUNSEL:

Sean Giovannetti

April 9, 2015

The Honorable Jenny Abbott Kitchings  
Clerk, South Carolina Court of Appeals  
Post Office Box 11629  
Columbia, SC 29211

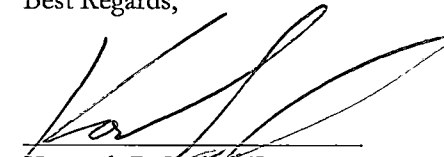
**RE: Lenora Whitfield Tucci v April Tucci and Robert D. Ganyard**  
***Appellate Case No. 2014-002726***

Dear Ms. Kitchings:

Enclosed for filing are an original and one (1) copy of the following documents:

- 1) Appellant's Initial Brief
- 2) Designation of Matter to Be Included in Record on Appeal
- 3) Proof of Service

Best Regards,



Kenneth P. Shabel, Esq.  
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KPS/nm

Enclosures

cc: James W. Shaw  
Heather Gwin

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