

STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

Appeal From The Richland County  
Court of Common Pleas From Orders of  
Honorable G. Thomas Cooper, Jr.,  
Fifth Judicial Circuit Court Judge

Case No.(s): 2013-CP-40-03078  
2007-CP-40-03742

Subsequent Interlocutory Orders of (Former) Circuit Court Judge,  
Honorable J. Michelle Childs:

Case No.(s): 2007-CP-40-03742  
2009-CP-40-02442

Subsequent Interlocutory Order Of Circuit Court Judge,  
Honorable DeAndrea Gist Benjamin:

Case No.: 2009-CP-40-02442

**RECEIVED**  
SEP 04 2015  
SC Court of Appeals

Clarence S. Gregory, . . . . .Appellant,  
Verses

Riley Pope & Laney, LLC, Law Firm, Attorney(s) and Counselor(s)  
~~at Law; Individually and Individually named, Theodore D. Riley,~~  
T. Lowndes Pope, LeRoy Free Laney, Nikole H. Boland, Of Whom  
All are sued In Their Individual and Professional Capacities,  
Riley Pope & Laney, LLC, Limited Liability Contractor(s)(LLC);

AND

Heath McAlvin Stewart, III, Individually and Individually named,  
Of Who, Formerly Employed with Riley Pope & Laney, LLC, Law  
Firm, An Agent Attorney Is Sued In His Individual and  
Professional Capacities, Et Al.;

All Whom are named as Defendants,  
Of which Riley Pope & Laney, LLC, is the Respondent.

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DESIGNATION OF MATTER TO BE  
INCLUDED IN THE RECORD ON APPEAL

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

- 1). Order Denying Appellants' Notice And Motion To Amend/ Reconsider, Rule 52, 59 (e), SCRC, By The Honorable G. Thomas Cooper, Jr., on March 02, 2015;
- 2). Order Granting Respondents' Notice/Motion To Dismiss, Rule 12 (b)(6), of the S.C. Rules of Civil Procedure, By The Honorable G. Thomas Cooper, Jr., on May 29, 2014;
- 3). Subsequent Interlocutory Order, Granting Defendants' Motion For Summary Judgment And Denying Appellants' Motion In Opposition Thereof, In Case No.: 2009-CP-40-02442, By Honorable DeAndrea Gist Benjamin, on October 17, 2011;
- 4). Subsequent Interlocutory Order, Denying Appellants' Notice/ Motion To Amend/Reconsider, Rule 59 (e), S.C. Rules of Civil Procedure, By Honorable DeAndrea G. Benjamin, on October 03, 2011;
- 5). Subsequent Interlocutory Order, Denying Appellants' Notice/Motion (Motion), To Withdraw Court's Rulings, By Honorable DeAndrea Gist Benjamin, on October 03, 2011;
- 6). Subsequent Interlocutory Order, Denying/Granting Respondents' Notice/Motion For Protective Process, Denying Appellant's Motion For Summary Judgment, By Honorable L. Casey Manning, on September 01, 2011;
- 7). Original Order, Denying Defendants' Motion For Summary Judgment, Ruling In Appellant's Favor, Rule 56, of the S.C. Rules of Civil Procedure, By (Former) Honorable J. Michelle Childs, on April 05, 2010, Case 2009-CP-40-02442;

- 8). Subsequent Interlocutory Order, Granting Defendants' Motion For Summary Judgment, By (Former) Circuit Court Judge Honorable J. Michelle Childs, on June 10, 2010, For Case 2007-CP-40-03742;
- 9). Subsequent Interlocutory Order, Denying Appellants' Notice /Motion To Amend/Reconsider, Rule 59 (e), of The S.C. Rules of Civil Procedure, By (Former) Circuit Court Judge, Honorable J. Michelle Childs, on July 07, 2010, For Case 2007-CP-40-03742;
- 10). Subsequent Interlocutory Order, Granting Defendants' Motion To Conduct Deposition, By Honorable L. Casey Manning, on August 12, 2008, For Case 2007-CP-40-03742;
- 11). Original Order, Denying Defendants' Motion For Summary Judgment, By The Presiding Honorable G. Thomas Cooper, Jr., on March 26, 2008, For Case 2007-CP-40-03742;
- 12). Original Order, Matter Under Advisement, By Honorable L. Casey Manning, on January 14, 2008, For Case 2007-CP-40-03742;
- 13). Appellant's Summons And Complaint, filed on May 22, 2012; For Case, 2013-CP-40-03078;
- 14). Appellants' Amended Complaint, filed on March 17, 2013, For Case, 2013-CP-40-03078;
- 15). Appellants' Summons And Complaint, filed on April 02, 2009, For Case 2009-CP-40-02442;
- 16). Appellants' Amended Complaint, filed on May 01, 2009,, For Case 2009-CP-40-02442;
- 17). Defendants' Counsel, LeRoy Free Laney, Cover Letter And Filed Answer, Dated on September 06, 2007, For Case 2007-CP-40-03742;
- 18). Appellants' Reply, and Certificate of Service, Dated on September 24, 2007, For Case 2007-CP-40-03742;
- 19). Appellant's Notice/Motion To File Summons And Complaint

With The Richland County Court of Common Pleas, on October 16, 2012, For Case 2013-CP-40-03078;

20). Clerk of Courts' Return Disposition of Appellant's Summons And Complaint, By Respective Judy N. Davis, Manager of Civil Records' Division of The Richland County Court of Common Pleas, For Case 2013-CP-40-03078, Dated on October 29, 2012;

21). Order of Denial To File Complaint Under In Forma Pauperis, By The Honorable James R. Barber, III, on October 26, 2012, For Case 2013-CP-40-03078;

22). Appellants' Notice/Motion To Amend/Reconsider, Rule 59 (e), SCRC, Dated on November 02, 2012, Case 2013-CP-40-03078;

23). Appellants' Notice/Petition For A Writ of Mandamus, With Affidavit of Service, Dated on December 27, 2012, January 04, 2013, For Case 2013-CP-40-03078;

24). The S.C. Supreme Court Letter of Response to Ms. Jeanette W. McBride, Clerk of Court, regarding Appellant's Writ of Mandamus, By Honorable Daniel E. Shearouse, Clerk, Dated on January 17, 2013, For Case 2013-CP-40-03078;

25). Ms. Judy N. Davis, Manager of Civil Records' Division, Response To the Honorable Shearouse, Clerk's Letter of Response, Dated on January 23, 2013, For Case 2013-CP-40-03078;

26). Appellants' Letter Responding to respective Ms. Davis' inaction, Dated on January 28, 2013, For Case 2013-CP-40-03078;

27). The S.C. Supreme Court Chief Justice, Honorable Jean H. Toal's, responsive disposition Letter to Ms. Judy N. Davis, inaction, regarding Appellant's Writ of Mandamus Petition, Filing Under In forma pauperis Status, Dated on February 21, 2013, For Case 2013-CP-40-03078;

28). Responsive Letter from Mr. Larry C. Smith, Attorney from Richland County Office, Regarding Ms. Judy N. Davis' inaction, and Apologized to the Honorable Jean H. Toal and Appellant for Ms. Davis' Inaction, Dated on February 27, 2013, For Case

2013-CP-40-03078;

29). Defendants' Counsel Damon C. Wlodarczyk's Letter/Memorandum In Opposition, Dated January 29, 2013, For Cases 2007-CP-40-03742 and 2009-CP-40-02442;

30). Appellants' Letter To Clerk of Court, Ms. Jeanette W. McBride, Respondents' has Been Served Summons & Complaint, With Affidavit of Service, From The Richland County Sheriff's Department Process of Service, By Deputy P. Wilkes, Dated on June 06, 2013, For Case 2013-CP-40-03078;

31). Respondents' Notice/Motion To Dismiss, Dated on June 13, 2013, For Case 2013-CP-40-03078;

32). Appellants' Cover Letters, Notice/Motion To Amend Complaint, Motion Oppose, Under Doctrine of Equitable Tolling, Equitable Estoppel and Gap Tolling, Dated on March 17, 2014, For Case 2013-CP-40-03078;

33). Appellants' Notice/Motion To Amend/Reconsider, Rule 52, 59(e), SCRCF, Dated on June 06, 2014, For Case 2013-CP-40-03078;

34). Defendants' Counsel Damon C. Wlodarczyk's Exhibits of Case Laws presented in Court on April 24, 2014, submitting Hill vs. York County Sheriff's Dep't, Etc, Dated on April 24, 2014, For Case 2013-CP-40-03078;

35). Appellant's Notice/Motion To Appeal the May 29, 2014, ~~Order of Presiding Honorable G. Thomas Cooper, Jr.,~~ Dated on March 23, 2015, For Case 2013-CP-40-03078;

36). Defendants' Counsel Heath M. Stewart, III, Cover Letter/And Notice/Motion For Summary Judgment, on October 07, 2009, For Case 2009-CP-40-02442;

37). Defendants' Counsel Heath M. Stewart, III, Memorandum In Support of Summary Judgment Motion, Dated on January 06, 2010, For Case 2009-CP-40-02442;

38). Appellants' Brief/Memorandum In Objection To Defendants' Summary Judgment Motion, Dated on September 22, 2009, For Case 2009-CP-40-02442;

39). Defendants' Counsel Heath M. Stewart, III, Notice/Motion For Deposition, Dated on/about, April 12, 28, 2010, For Case 2009-CP-40-02442;

40). Defendants' Counsel Nikole H. Boland's (Whom is Respondents) Subsequent Notice/Motion For Summary Judgment, Dated on February 23, 2011, For Case 2009-CP-40-02442;

41). Appellants' Notice/Motion Opposing Defendants' Counsel Motion For Summary Judgment, Dated on March 03, 2011, For Case 2009-CP-40-02442;

42). Defendant's Counsel Nikole H. Boland's (Whom is Respondents) Subsequent Memorandum In Support of Motion For Summary Judgment, Dated on August 31, 2011, For Case 2009-CP-40-02442;

43). Defendants' Counsel LeRoy F. Laney's Cover Letter/Notice /Motion For Summary Judgment, Dated on October 26, 2007, and Certificate of Service, For Case 2007-CP-40-03742;

44). Defendants' Counsel Heath M. Stewart, III, Cover Letter/ Notice/Motion For Deposition Dated on August 01, August 18, and September 26, 2008, For Case 2007-CP-40-03742;

45). Defendants' Counsel Heath M. Stewart, III, Cover Letter, and Subsequent Notice/Motion For Summary Judgment, Dated on May 07, 2009, For Case 2007-CP-40-03742 ;

46). Defendants' Counsel Heath M. Stewart, III, Memorandum In Support of Summary Judgment Motion, Dated on January 06, 2010, For Case 2007-CP-40-03742;

47). Appellant's Cover Letter/Notice/Motion To Barr Defendants' Counsel Stewart, III, subsequent Motion For Summary Judgment, Dated on June 16, 2009, For Case 2007-CP-40-03742;

- 48). Appellant's filed Affidavit In Support of Motion To Barr Defendants' Subsequent Motion For Summary Judgment and Affidavit of Service, Dated on June 16, 2009, For Case 2007-CP-40-03742;
- 49). Appellant's Cover Letter of Request for Discovery, Dated on June 01, 2009, For Case 2009-CP-40-02442;
- 50). Defendants' Responses To Appellant's Discovery Requests, Dated on June 23, 2009, For Case 2009-CP-40-02442;
- 51). Defendants' Counsel Nikole H. Boland's First Set of Interrogatories To Appellant, on May 21, 2010, For Case 2009-CP-40-02442;
- 52). Defendants' Counsel Nikole H. Boland's Second Responses To Plaintiff's Request For Production, Under Discovery, Dated on July 30, 2010, For Case 2009-CP-40-02442;
- 53). Appellant's Exhibits, Request To Warden Stanley Burt, Request To Mr. N. Helms, FoodService Director, SCDC Inmate Grievances, Request To Lieber Facility Medical Infirmary, Affidavits of Jones, #316204, Malpass, #164744, White, #276060, filed on/or about, September 22, 2009, For Case 2009-CP-40-02442;
- 54). Defendants' Counsel Heath M. Stewart, III, Responses To Plaintiff's Discovery Request, on October 26, 2007, December 04, 2009, For Case 2007-CP-40-03742;
- 55). Appellant's Exhibits, ~~Requests to Ms. Debra Myers, SCDC~~ FoodService Director/Memorandum, SCDC FoodService Director Nancy Tennis/Fiedler's Requests To Repair Cafeteria Trayroom Door, Dated on March 01, March 02, March 14, March 23, 2005, For Case 2007-CP-40-03742;
- 56). Affidavit of Lieutenant Morris Elmore, Dated on October 01, 2007, For Case 2007-CP-40-03742;
- 57). Appellant's Transcript of Record, Dated April 24, 2014, For Case 2013-CP-40-03078;

58). Appellant's Transcript of Record, Dated August 31, 2011,  
For Subsequent Interlocutory Order of Honorable DeAndrea Gist  
Benjamin, For Case 2009-CP-40-03742;

59). Defendants' Counsel Nikole H. Boland's Transcript of Record  
For Deposition Hearing, Dated on May 14, 2010, For Case 2009-  
Cp-40-02442;

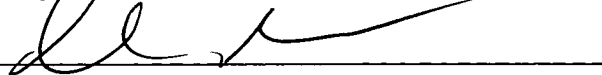
60). Defendants' Counsel Heath M. Stewart, III's, Transcript  
of Record For Deposition Hearing, Dated on October 15, 2008,  
For Case 2007-CP-40-03742;

61). Appellants' Notice/Motion To Strike Respondents' Counsel  
Damon C. Wlodarczyk's Motion To Dismiss, Rule 12 (b)(6), SCRC  
Dated on June 25, 2013, For Case 2013-CP-40-03078;

62). Appellant's Notice/Motion To Amend Complaint, Under Rule  
15 (c), SCRC, Under The "Relation-Back-Doctrine, Dated on July  
08, 2013, For Case 2013-CP-40-03078;

Appellant asserts, that he certifies that this designation  
of matter to be included in the Record on Appeal contains no  
matters which is irrelevant to this Appeal.

Respectfully Submitted, I am

s/ 

CLARENCE S. GREGORY, #227394  
C/o BROAD RIVER CORRECTIONAL INST.,  
MURRAY UNIT, B-WING RM. # 234  
4460 BROAD RIVER ROAD  
RICHLAND COUNTY  
COLUMBIA, SOUTH CAROLINA  
ZIP CODE 29210-4012

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

DATED: Sept 03, 2015.

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