

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM LEXINGTON COUNTY
Court of Common Pleas

William P. Keesley, Circuit Court Judge

Case No. 2014-CP-32-01537

Appellate Case No. 2015-000329

RECEIVED

SEP 17 2015

SC Court of Appeals

Julius Brazell.....Appellant,

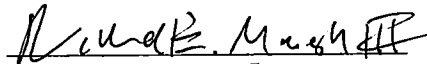
v.

Town of Chapin, South Carolina;
And County of Lexington Respondents.

**DESIGNATION OF MATTER TO BE
INCLUDED IN THE RECORD ON APPEAL**

Pursuant to Rule 209, SCACR, the Respondent, Town of Chapin, concurs with the eleven (11) designations proposed by Appellant in his Designation of Matter to be Included in the Record on Appeal dated August 17, 2015.

Respectfully Submitted,



Daniel R. Settana, Jr.
Temus C. Miles, Jr.
Richard E. Marsh, III
McKay, Cauthen, Settana & Stublely, P.A.
1303 Blanding Street
P.O. Box 7217
Columbia, SC 29202-7217
(803) 256-4645
Attorneys for Respondent Town of Chapin

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM LEXINGTON COUNTY
Court of Common Pleas

William P. Keesley, Circuit Court Judge

Case No. 2014-CP-32-01537

Appellate Case No. 2015-000329

RECEIVED

SEP 17 2015

SC Court of Appeals

Julius Brazell.....Appellant,

v.

Town of Chapin, South Carolina;
And County of Lexington Respondents.

CERTIFICATE OF COMPLIANCE

The undersigned council certifies that the eleven (11) items designated to be included in the Record on Appeal on behalf of the Respondent comply with Rule 209(c), SCACR, and contain no matter which is irrelevant to this appeal.

Respectfully Submitted,

A handwritten signature in cursive script, appearing to read "Daniel R. Settana, Jr.", written in dark ink.

Daniel R. Settana, Jr.

Temus C. Miles, Jr.

Richard E. Marsh, III

McKay, Cauthen, Settana & Stublely, P.A.

1303 Blanding Street

P.O. Box 7217

Columbia, SC 29202-7217

(803) 256-4645

Attorneys for Respondent Town of Chapin

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM LEXINGTON COUNTY
Court of Common Pleas

William P. Keesley, Circuit Court Judge

Case No. 2014-CP-32-01537

Appellate Case No. 2015-000329

RECEIVED
SEP 17 2015
SC Court of Appeals

Julius Brazell.....Appellant,

v.

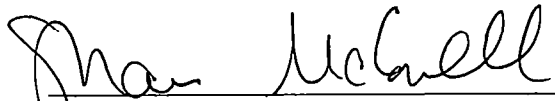
Town of Chapin, South CarolinaRespondent.

PROOF OF SERVICE

The undersigned hereby certifies that on September 17, 2015, a copy of the foregoing *Designation of Matter to be Included in the Record on Appeal of Respondent Town of Chapin* is served on counsel for Appellant by hand delivering the same at the address as follows:

S. Jahue "Jake" Moore, Esquire
John C. Bradley Jr., Esquire
1700 Sunset Boulevard
P.O. Box 5709
West Columbia, SC 29171

(Signature Page Follows)



Sharon McConnell, Legal Assistant for:

Daniel R. Settana, Jr.

Temus C. Miles

Richard E. Marsh, III

McKay, Cauthen, Settana & Stublely, P.A.

P. O. Drawer 7217

Columbia, SC 29202

(803) 256-4645

Attorneys for Respondent

Julius W. McKay, II
Mark D. Cauthen
Daniel R. Settana, Jr.
M. Stephen Stubley
Janet Brooks Holmes
Peter P. Leventis, IV
Kelli L. Sullivan*

Law Offices
McKAY, CAUTHEN, SETTANA & STUBLEY, P.A.

P.O. Box 7217
Columbia, South Carolina 29202-7217

1303 Blanding Street
Columbia, South Carolina 29201

Douglas McKay, Jr.
(1917-2008)

Telephone
(803) 256-4645

Fax
(803) 765-1839

E-Mail
mms@mckayfirm.com
Web
www.mckayfirm.com

*S.C. Certified Mediator
+ Also licensed in N.C.

George D. Gallagher*
Temus C. Miles, Jr.
David M. Bornemann
Brandon P. Jones
James E. L. Fickling+
Richard E. Marsh, III
Courtney R. Pawley
Charles A. Kinney, Jr.+

September 17, 2015

RECEIVED

SEP 17 2015

SC Court of Appeals

Via Hand Delivery:

The Honorable Jenny Abbott Kitchings
The South Carolina Court of Appeals
PO BOX 11629
Columbia, South Carolina 29211

RE: Julius Brazell v. Town of Chapin, et al.
Claim No.: 14715
Our File No.: 9-406
Civil Action No.: 2014-CP-32-01537
Appellate Case No.: 2015-000329

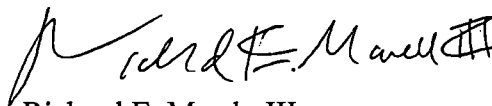
Dear Ms. Kitchings:

Please find enclosed for filing the original and one copy of the Initial Brief of Respondent, The Town of Chapin, Respondent's Designation of Matter to be included in the Record on Appeal, and Certificate of Compliance, along with the Proof of Service, in the above-referenced matter.

Please return the additional clocked in copies to my courier.

By copy of this letter and evidenced by the attached Proof of Service, I am serving a copy of Respondent's Initial Brief and Designation of Matter to be included in the Record on Appeal, and Certificate of Compliance on counsel for Appellant and Defendant County of Lexington.

Sincerely,



Richard E. Marsh, III

REM,iii/srm
Enclosures

cc: S. Jahue Moore, Esquire (via hand delivery)
John C. Bradley, Esquire (via hand delivery)
Jeffrey M. Anderson, Esquire (via U.S. Mail)