

**FORM 14
DESIGNATION OF MATTER TO BE
INCLUDED IN THE RECORD ON APPEAL**

THE STATE OF SOUTH CAROLINA
In The Court of Appeals
[In The Supreme Court]

APPEAL FROM CHARLESTON COUNTY
Court of Common Pleas

Markley Dennis, Circuit Court Judge

Case No. 2015-000049

Carolina Center
Respondent,

v.

Jack Powell Appellant,

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

APPELLANT PROPOSES THE FOLLOWING BE INCLUDED IN THE RECORD ON APPEAL:

1. Appellant's Complaint filed on November 14th, 2013.
2. Order on Defendant's Motion to Dismiss filed on August 7th, 2014.
3. Respondent's Memorandum in Support of Motion for Summary Judgment filed on October 15th, 2014.
4. Appellant's Response to Motion for Summary Judgment filed on October 24th, 2014.
5. Order Granting Respondent's Summary Judgment filed on November 5th, 2014.

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6. Appellant's Motion for Reconsideration filed on November 6th, 2014.
7. Motion to Amend Reconsideration and Reconsideration denied on December 1st, 2014
8. Respondent's Deposition; pp. 2, 3, 33, 50, 109, 110, 111, 112,
9. Transcript of proceeding "Record"; pp. 1 - 6
10. Exhibits A - J
11. Motion for Summary Judgment p. 7 "Yeah he angrily told me to get out of the wheelchair
12. Order Granting Summary Judgment p. Pursuant to the holding Mellen, Supra. "Engage in some offensive conduct".
13. Respondent's Deposition Transcript; Brooker V. Silverthorne, 111 S.C. 553, 559, 99 S.E. 350, 351 (1919)
14. Motion to Reconsider p. 2; Dawkins v. Union Hospital District S.E.2d, WL 1886880 (S.C 2014) was submitted verbally to Judge J.C. Nicholson, during Respondents Motion to Dismiss
15. Motion to Reconsider p.2,; Herring v. Lawrence Warehouse Co. 222 S.C. 226, 241, 72 S.E.2d 453, 458 (1952).
16. Motion to Reconsider p. 5; Papa v. Brunswick General Hospital 517 N.Y.S.2d 762, 763-64 (Supp. Div. 1987)
17. Appellant's Response to Motion for Summary Judgment; Hancock v. Mid-South Mgmt. Co. Inc. 381 S.C. 326, 330, 673 S.C. 2Nd 801, 803, (2009)
18. Mellen v. Lane, 377 S.C. 261, 659 S.E. 2D 236 S.C. App. 2008.
19. SCTCA 15-78-40
20. Rule 60 (b)(3)
21. Rule 407, 51, 51 (2), 51 (c)

22. Exhibit A, Appellant's MUSC Doctor Instructions
23. Exhibit B, Interrogatory to Respondent no. 8
24. Exhibit C, Interrogatory to Respondent no.13
25. Exhibit D, Photos of Previous Surgeries
26. Exhibit E, Al Cannon Detention Center Jail Video
27. Exhibit F, Interrogatory to Respondent no.2
28. Exhibit G, Photo of Angry Male Nurse
29. Exhibit H, Interrogatory no. 16
30. Transcript p. 2; 25 thru p. 3; 1 & 2..... So it was simply, he angrily asked you to get out of the wheelchair? And he agreed.
31. Deposition p. 110; 9.....No, he told me to get out of the wheelchair.
32. Transcript p. 3; 21-25; Judge Dennis has already made a biased decision.
33. Transcript p. 4; 13-15; Judge Dennis interrupted again and ruled with bias when he is only discussing the transcript.
34. Transcript p. 5: 5-18; Judge Dennis exercised bias and an improper ruling
35. Deposition p.2 Respondent's Deposition; Attorney's Wall, Templeton & Haldrup with attorney John Jay Jones in attendance while Appellant was deposed in an improper, loud and angry manner when stating, "you will answer the question" after Appellant wouldn't disclose which church his 21 year old daughter took care of small children.

October 1st, 2015

Appellant, Jack Powell
1402 Camp Road Unit 8-A
Charleston, S.C. 29412
(843)952-4762

cc; V. Claire Allen, Deputy Clerk

Attorney of Record; Wall, Templeton & Haldrup

DESIGNATION OF MATTER CERTIFICATE

THE STATE OF SOUTH CAROLINA
In The Court of Appeals
[In The Supreme Court]

APPEAL FROM CHARLESTON COUNTY
Court of Common Pleas

Markley Dennis, Circuit Court Judge

Case No. 2015-000049

Carolina Center
Respondent,

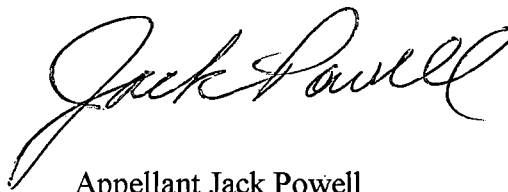
v.

Jack Powell Appellant,

DESIGNATION OF MATTER CERTIFICATE

Appellant Jack Powell hereby certifies that the Designation of Matter that is being submitted out of time, does not contain any matter that is not relevant to the appeal.

October 1st, 2015



Appellant Jack Powell

1402 Camp Road Unit 8-A
Charleston, S.C. 29412
(843)952-4762

cc; V. Claire Allan, Deputy Clerk

Attorney of Record; Wall, Templeton & Haldrup

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**FORM 7
PROOF OF SERVICE FOR CERTIFICATE**

THE STATE OF SOUTH CAROLINA
In The Court of Appeals
[In The Supreme Court]

APPEAL FROM CHARLESTON COUNTY
Court of Common Pleas

R. Markley Dennis, Circuit Court Judge

Case No. 2015-000049

Carolina Center

Respondent,

v.

Jack Powell,

Appellant.

PROOF OF SERVICE

I certify that I have served this Certificate that the Designation of Matter does not contain matter that is irrelevant to the Appeal and mailed USPS on October 1st, 2015. Addressed to the attorney of record; Barnwell, Templeton & Haldrup, located at 145 King St. Ste. 300, Charleston, S.C. 29401.

October 1st, 2015

Appellant, Jack Powell

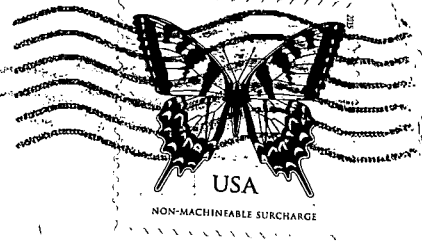
1402 Camp Rd. Unit 8-A
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cc; Deputy Clerk, V. Claire Allen
Attorney of Record; Wall, Templeton & Haldrup

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