

THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

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APPEAL FROM DORCHESTER COUNTY  
Court of Common Pleas

Diane S. Goodstein, Circuit Court Judge

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Appellate Case No. 2015-001543

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**RECEIVED**  
FEB 08 2016  
SC Court of Appeals

The Bank of New York Mellon Trust Company, N.A,  
not in its individual capacity but solely as trustee on behalf of the  
FDIC 2013-N1 Asset Trust,

Respondent,

v.

Cornell Riley,

Appellant.

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

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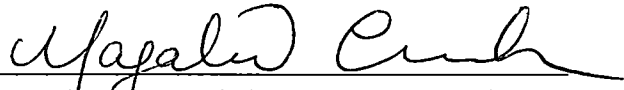
Respondent proposes the following to be included in the Record on Appeal:

1. Lis Pendens, Summons and Complaint in Civil Action No. 2014-CP-18-1007, filed May 27, 2014;
2. Answer and Counterclaim of Appellant, filed June 24, 2014;
3. Reply to Answer and Counterclaim, filed July 23, 2014;
4. Respondent's First Interrogatories, Request for Production, and Request for Admission to Appellant, dated July 31, 2014;
5. Appellant's Responses to Respondent's First Interrogatories, Request for Production, and Request for Admission, dated August 12, 2014;
6. Summons and Complaint in Civil Action No. 2014-CP-18-1634, filed August 29, 2014;
7. Order of Dismissal as to Foreclosure Only in Civil Action No. 2014-CP-18-1007, filed October 29, 2014;
8. Motion to Amend Counterclaim and proposed Amended Answer and Counterclaim in Civil Action No. 2014-CP-18-1007, filed November 24, 2014;
9. Order Dismissing Civil Action 2014-CP-18-1634, filed February 4, 2015;
10. Order Granting Motion to Amend Counterclaim in Civil Action No. 2014-CP-18-1007, filed February 4, 2015;

11. Reply to Amended Answer and Counterclaim, filed February 2, 2015;
12. Second Motion to Amend Counterclaim, filed February 20, 2014;
13. Respondent's Motion for Summary Judgment, filed March 20, 2015;
14. Affidavit in Support of Respondent's Motion for Summary Judgment, filed March 27, 2015;
15. "Affidavit in Support of Jury Trial as Ordered by the Court" of Twilla Cobb, filed April 16, 2015;
16. Appellant's "Statement of Consideration", filed April 17, 2015;
17. Order Denying Second Motion to Amend Counterclaim, filed May 13, 2015;
18. Order Granting Motion for Summary Judgment, filed May 13, 2015
19. Appellant's Motion for Reconsideration, filed May 18, 2015;
20. Order Denying Appellant's Motion for Reconsideration, filed June 15, 2015;
21. Transcript of Summary Judgment hearing held on April 16, 2015;
22. Notice of Appeal, filed June 16, 2015.

I certify that this designation contains no matter which is irrelevant to this appeal.

Respectfully submitted,



Magalie A. Creech (SC Bar No. 78855)

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*Attorney for Respondent*

February 3, 2016

THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

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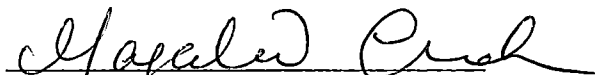
Appellant.

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PROOF OF SERVICE

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I certify that I have served the *Respondent's Initial Brief and Designation of Matter* by depositing a copy of same in the United States Mail, postage prepaid, on February 3, 2016, addressed to Appellant of record, Cornell Riley, 100 Madison Ave., Ladson, South Carolina 29456.



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*Attorney for Respondent*

February 3, 2016



MAGALIE A. CREECH  
MCREECH@FINKELLLAW.COM

REPLY TO:  
CHARLESTON LITIGATION

February 3, 2016

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

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SC Court of Appeals

RE: The Bank of New York Mellon Trust Company, N.A., not in its individual capacity  
but solely as trustee on behalf of the FDIC 2013-N1 Asset Trust v. Cornell Riley  
Appellate Case No.: 2015-001543  
Our File No.: 65050.48466

Dear Ms. Kitchings:

Enclosed for filing is the *Respondent's Initial Brief and Designation of Matter* and related *Proof of Service* in the above-referenced case, along with six (6) copies, which we kindly ask you to file and return in the attached, self-addressed, stamped envelope.

Should you have any questions concerning this matter, please do not hesitate to contact our office at your earliest convenience.

With kind personal regards, we are

Yours very truly,

FINKEL LAW FIRM

Magalie A. Creech

CC: Cornell Riley

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**FINKEL**  
LAW FIRM LLC

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Charleston, SC 29423

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