

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM CHARLESTON COUNTY
Court of Common Pleas

Julie Armstrong, Charleston County Clerk of Court

Case No. 2011-CP-10-5447

First Citizens Bank and
Trust Company, Inc., Respondent,

v.

Timothy T. Rogers, Appellant,

DESIGNATION OF MATTER TO BE INCLUDED
IN THE RECORD ON APPEAL

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

1. Complaint;
2. Answer and Counterclaim of Timothy T. Rogers;
- 3.. Mandatory Motion and Order of Reference of Respondent served on
November 10, 2011 and filed on December 7, 2011; and
4. Appellant's Reply to Respondent's Motion and Order of Reference.

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

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First Citizens Bank and
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v.

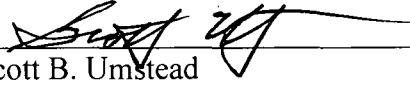
Timothy T. Rogers,Appellant,

PROOF OF SERVICE

I certify that I have served the Initial Brief of Respondent and Designation of Matter to be included in the Record on Appeal by depositing a copy of it in the United States Mail, postage prepaid, on August 31, 2012, addressed to his attorney of record, Shawn T. French, 100 Ellis Avenue, Suite B, Lexington, South Carolina 29072.

August 31, 2012

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VIA FEDERAL EXPRESS

August 31, 2012

The South Carolina Court of Appeals
Attn: Tanya A. Gee, Clerk
1015 Sumter Street
Columbia, SC 29201

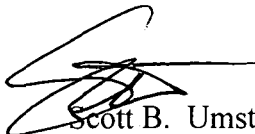
RE: First Citizens v. Rogers, Timothy
Case Tracking #: 2012206526

Dear Ms. Gee:

Enclosed please find an original and one copy of the Initial Brief of Respondent, Designation of Matter to be included in the Record on Appeal and Proof of Service in connection with the above-referenced matter. Please file the original and return a clocked copy in the envelope provided.

Respectfully Submitted,

SCOTT B. UMSTEAD, P.A.



Scott B. Umstead

SBU/maz

Enclosures

cc: Shawn M. French

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