

THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

APPEAL FROM LEXINGTON COUNTY  
Court of Common Pleas

Tanya A. Gee, Circuit Court Judge

Case No. 2015-CP-32-00170

RECEIVED  
MAY 19 2016  
SC Court of Appeals

Joseph W. Owens, Appellant,

v.

Temus C. Miles, Jr., B.J. Unthank,  
L. Dale Harley, Boyd J. Jones,  
Tommy G. Parler, Eric L. Fowler,  
Dennis Tyndall, Ashley S. Hunter  
And McKay Public Affairs, LLC, Defendants

Of Whom Temus C. Miles, Jr., B.J.  
Unthank, L. Dale Harley, Boyd J.  
Jones, Tommy G. Parler, Eric L.  
Fowler and Dennis Tyndall are Respondents.

DESIGNATION OF MATTER TO BE  
INCLUDED IN THE RECORD ON APPEAL

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

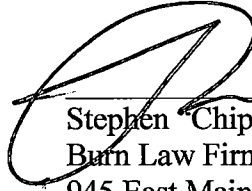
1. Order Granting Defendants' Motion for Summary Judgment dated December 1, 2015
2. Amended Complaint
3. Amended Complaint Exhibit No. 1
4. Amended Compliant Exhibit No. 2
5. Transcript of Motions Hearing Proceedings pp. 5-14, 46-61
6. Affidavit of Stephen "Chip" Burn
7. Affidavit of W. Madison "Matt" Edwards
8. Deposition of Robert Bolchoz pp.10-13, 30, 32-33, 65-66, 85-86, 94-96, 108-111, 147, 157-162, 174, 175-176, 178-179, 188-193, 198-201, 207-209, 222-224, 244-249, 251
9. Deposition of Joseph Owens pp. 92-93, 98-99, 304-306

10. Defendant Temus C. Miles, Jr.'s Response to Plaintiff's First Request for Production No. 9
11. Defendant B.J. Unthank's Response to Plaintiff's First Request for Production No. 7
12. Defendant L. Dale Harley's Response to Plaintiff's First Request for Production No. 7
13. Defendant Boyd J. Jones' Response to Plaintiff's First Request for Production No. 7
14. Defendant Tommy G. Parler's Response to Plaintiff's First Request for Production No. 7
15. Defendant Eric L. Fowler's Response to Plaintiff's First Request for Production No. 7
16. Defendant Dennis Tyndall's Response to Plaintiff's First Request for Production Nos. 7,8 and 9
17. Notice of Motions and Motions to Compel Discovery and for a Scheduling Order
18. Defendant Boyd J. Jones' Responses to First Requests to Admit
19. Captain Shane Phillips Letter to Mayor Owens dated October 26,2015
20. Stephen "Chip" Burn Letter to Judge Gee dated November 24,2015
21. David Anderson Email to Judge Gee dated November 24, 2015
22. Memorandum in Opposition to Defendants' Motion for Summary Judgment Exhibit D
23. Memorandum in Opposition to Defendants' Motion for Summary Judgment Exhibit E
24. Memorandum in Opposition to Defendants' Motion for Summary Judgment Exhibit F
25. Memorandum in Opposition to Defendants' Motion for Summary Judgment Exhibit G
26. Memorandum in Opposition to Defendants' Motion for Summary Judgment Exhibit H (incorrectly labelled)
27. Memorandum in Opposition to Defendants' Motion for Summary Judgment Exhibit I
28. Memorandum in Opposition to Defendants' Motion for Summary Judgment Exhibit J
29. Memorandum in Opposition to Defendants' Motion for Summary Judgment Exhibit K
30. Memorandum in Opposition to Defendants' Motion for Summary Judgment Exhibit L
31. Memorandum in Opposition to Defendants' Motion for Summary Judgment Exhibit N
32. Memorandum in Opposition to Defendants' Motion for Summary Judgment Exhibit O
33. Memorandum in Opposition to Defendants' Motion for Summary Judgment Exhibit Q
34. Memorandum in Opposition to Defendants' Motion for Summary Judgment Exhibit W
35. Supplemental Memorandum in Opposition to Defendants' Motion for Summary Judgment Exhibit No.1
36. Supplemental Memorandum in Opposition to Defendants' Motion for Summary Judgment Exhibit No. 3
37. Supplemental Memorandum in Opposition to Defendants' Motion for Summary Judgment Exhibit 4

38. Supplemental Memorandum in Opposition to Defendants' Motion for Summary Judgment Exhibit 5

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

May 16, 2016



Stephen "Chip" Burn  
Burn Law Firm, LLC  
945 East Main Street, Ste. D  
Lexington, South Carolina 29072

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SC Court of Appeals

STATE OF SOUTH CAROLINA

COUNTY OF LEXINGTON

Joseph W. Owens,

Appellant,

v.

Temus C. Miles, Jr., B.J. Unthank,  
L. Dale Harley, Boyd J. Jones,  
Tommy G. Parler, Eric L. Fowler,  
Dennis Tyndall, Ashley S. Hunter  
And McKay Public Affairs, LLC,

Defendants,

Of Whom Temus C. Miles, Jr., B.J.  
Unthank, L. Dale Harley, Boyd J.  
Jones, Tommy G. Parler, Eric L.  
Fowler and Dennis Tyndall are

Respondents.

IN THE COURT OF APPEALS

CASE NO. 2015CP3200170

**CERTIFICATE OF SERVICE**

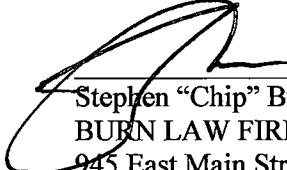
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SC Court of Appeals

I, the undersigned employee of the Burn Law Firm, LLC do hereby certify that I have served the attached Designation of Matter to be Included in the Record on Appeal on the other parties to this action on this 16<sup>th</sup> day of May 2016, by depositing copies of the same in the United States Mail in Lexington, South Carolina, with proper postage affixed thereto, and addressed as follows:

David A. Anderson, Esq.  
Richardson Plowden & Robinson, PA  
Post Office Drawer 7788  
Columbia, SC 29202

  
\_\_\_\_\_  
Stephen "Chip" Burn, Esq.  
BURN LAW FIRM, LLC  
945 East Main Street, Ste. D  
Lexington, South Carolina 29072  
(803) 358-7220



**BURN**  
**LAW FIRM, LLC**

Stephen "Chip" Burn  
cburn@burnlawfirmllc.com

May 16, 2016

**VIA FIRST-CLASS MAIL**

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

David Allen Anderson, Esquire  
Richardson Plowden & Robinson, PA  
Post Office Drawer 7788  
Columbia, SC 29202

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SC Court of Appeals

**Re: Joseph W. Owens v. Temus C. Miles, Jr., et al.**  
**Civil Action No.: 2015-CP-32-00170**

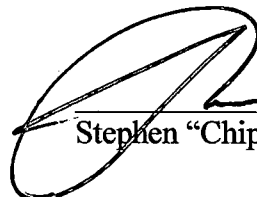
Dear Ms. Kitchings and Mr. Anderson:

Enclosed for filing and service on the parties is the Initial Brief of Appellant in the above-referenced case.

Thank you for your assistance in this matter. Please feel free to contact me should you have any questions or concerns.

Sincerely yours,

BURN LAW FIRM, LLC



Stephen "Chip" Burn

Enclosures

cc: Andrew Lindemann, Esquire  
Robert F. Goings, Esquire  
Graham L. Newman, Esquire  
Damon C. Wlodarczyk, Esquire