

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

APPEAL FROM GREENVILLE COUNTY  
Court of Common Pleas

Perry H. Gravely, Circuit Court Judge

Appellate Case No. 2016-000536

**RECEIVED**

JUN 01 2016

**SC Court of Appeals**

Mark Collins

Respondent,

v.

Lauren Murphy as Statutory Beneficiary, Appellant.

APPELLANT'S DESIGNATION OF MATTER



Charles W. Marchbanks, Jr.  
The Marchbanks Law Firm, LLC  
Attorney for Appellant  
S.C. Bar No.: 76935  
1225 South Church Street  
Greenville, South Carolina 29605  
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Greenville, South Carolina  
May 27, 2016

COMES NOW APPELLANT, who by and through undersigned counsel, hereby submits his Designation of Matter, pursuant to Rules 208 and 209, SCACR, setting forth the documents to be included in the Record on Appeal as follows.

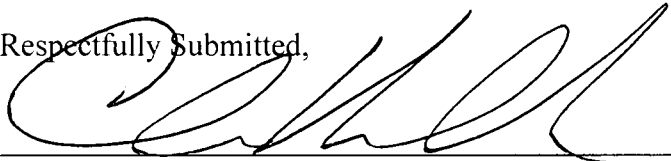
1. Death Certificate for Tynslee Elizabeth Fields.
2. Greenville County Probate Court Certificate of Appointment of Lauren Murphy as the Personal Representative for the Estate of Tynslee Elizabeth Fields.
3. Form 300 PC filed by Lauren Murphy in the Greenville County Probate Court.
4. Greenville County Court of Common Pleas February 24, 2014 Order for Approval of Settlement as to Defendant Mercy Obstetrics & Gynecology, P.A., Ragesh Pandya, M.D. Only, and the Petition for Approval of Settlement as to Defendants Mercy Obstetrics & Gynecology, P.A., Ragesh Pandya, M.D entered in the matter of Lauren Murphy, individually, and as Personal Representative of the Estate of Tynslee Fields vs. Bon Secours Health System, Inc., et. al., Case No. 2013-CP-23-04186.
5. Summons and Petition to Deny Respondent Wrongful Death Proceeds filed on July 2, 2014 in the Greenville County Probate Court in the matter of the Estate of Tynslee Elizabeth Fields, Case No. 2012-ES-23-01718.
6. July 15, 2014 Correspondence from the Greenville County Probate Court regarding the Summons and Petition to Deny Respondent Wrongful Death Proceeds filed on July 2, 2014 in the Greenville County Probate Court in the matter of the Estate of Tynslee Elizabeth Fields, Case No. 2012-ES-23-01718.
7. Motion to Compel filed August 6, 2014 in the Greenville County Court of Common Pleas in the matter of Lauren Murphy, individually, and as Personal Representative of the Estate of Tynslee Fields vs. Bon Secours Health System, Inc., et. al., Case No. 2013-CP-23-04186.
8. Return to Mark Collins' Motion to Compel and Motion to Deny Mark Collins Any and All Proceeds Derived from Settlement of Survival and Wrongful Death Actions filed August 15, 2014 in the Greenville County Court of Common Pleas in the matter of Lauren Murphy, individually, and as Personal Representative of the Estate of Tynslee Fields vs. Bon Secours Health System, Inc., et. al., Case No. 2013-CP-23-04186.
9. Mark Collins' Memorandum in Support of Motion to Compel Disbursement and Response to Motion to Deny Proceeds filed September 26, 2014 in the Greenville County Court of Common Pleas in the matter of Lauren Murphy, individually, and as Personal Representative of the Estate of Tynslee Fields vs. Bon Secours Health System, Inc., et. al., Case No. 2013-CP-23-04186.

10. Plaintiff's Memorandum in Support of Motion to Deny Mark Collins Any and All Proceeds Derived from Settlement of Survival and Wrongful Death Actions filed September 29, 2014 in the Greenville County Court of Common Pleas in the matter of Lauren Murphy, individually, and as Personal Representative of the Estate of Tynslee Fields vs. Bon Secours Health System, Inc., et. al., Case No. 2013-CP-23-04186.
11. Greenville County Court of Common Pleas November 5, 2014 Order on Movant Mark Collins' Motion to Compel Disbursement and Personal Representative Lauren Murphy's Motion to Deny Proceeds entered in the matter of Lauren Murphy, individually, and as Personal Representative of the Estate of Tynslee Fields vs. Bon Secours Health System, Inc., et. al., Case No. 2013-CP-23-04186.
12. Motion to Deny Mark Collins Wrongful Death and Survival Settlement Proceeds filed in the Greenville County Probate Court on November 18, 2014 in the matter of the Estate of Tynslee Elizabeth Fields, Case No. 2012-ES-23-01718.
13. Return in Opposition to Motion to Deny Mark Collins Wrongful Death And Survival Settlement Proceeds filed in the Greenville County Probate Court on November 24, 2014 in the matter of the Estate of Tynslee Elizabeth Fields, Case No. 2012-ES-23-01718.
14. Plaintiffs Submission to the Court of Case Law from Jurisdictions Other than South Carolina filed on January 23, 2015 in the Greenville County Probate Court on in the matter of the Estate of Tynslee Elizabeth Fields, Case No. 2012-ES-23-01718.
15. Respondent's Submission of Applicable Case Law from Other Jurisdictions filed on January 27, 2015 in the Greenville County Probate Court on in the matter of the Estate of Tynslee Elizabeth Fields, Case No. 2012-ES-23-01718.
16. Transcript of the January 9, 2015 Hearing in the Greenville County Probate Court in the matter of the Estate of Tynslee Elizabeth Fields, Case No. 2012-ES-23-01718.
17. Greenville County Probate Court Order filed April 29, 2015 in the matter of the Estate of Tynslee Elizabeth Fields, Case No. 2012-ES-23-01718.
18. Notice of Intent to Appeal to Circuit Court filed by Mark Collins on May 1, 2015.
19. Appellant Mark Collins' Appellate Brief filed with the Circuit Court on July 13, 2015.
20. Respondent Lauren Murphy's Brief filed with the Court of Appeals on August 12, 2015.

21. Transcript of the September 10, 2015 appellate hearing before the Circuit Court in the matter of Mark Collins Appellant v. Tynslee Elizabeth Fields, Deceased and Lauren Murphy Respondent.
22. Greenville County Circuit Court Order filed December 28, 2015 in the matter of Mark Collins Appellant v. Lauren Murphy Respondent, Case Number 2015-CP-23-02860.
23. Motion for Reconsideration filed with the Circuit Court on January 6, 2016 by Lauren Murphy as Statutory Beneficiary.
24. Greenville County Court Order on Lauren Murphy's Motion for Reconsideration filed February 9, 2016.
25. Appellant Lauren Murphy's Notice of Appeal filed with the Court of Appeals on March 11, 2016.
26. Appellant Lauren Murphy's Motion to the Court of Appeals to Order the Transcript of the September 10, Circuit Court Appeal hearing outside of the time limit to request the transcript.
27. The Court of Appeals Order granting Appellant permission to order the transcript of the September 10, 2015 Circuit Court Appeal Hearing outside of the filing deadline.

Further, undersigned counsel hereby certifies that Appellant's Designation of Matter does not include any documents or matters irrelevant to this appeal.

Respectfully Submitted,



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Greenville, South Carolina  
May 27, 2016

ATTORNEY FOR APPELLANT

THE STATE OF SOUTH CAROLINA  
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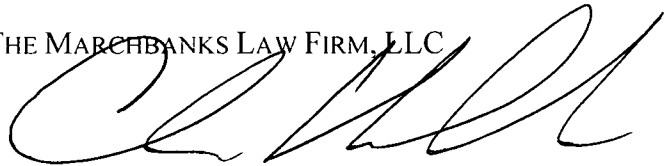
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PROOF OF SERVICE

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I certify that I have served the Appellant's Initial Brief and Designation of Matter on Respondent Mark Collins by depositing a copy of it in the United States Mail, postage prepaid, on May 27, 2016, addressed to his attorneys of record, Jessica Salvini and John M. Read, IV, at their respective offices at 101 W. Park Ave. Greenville, SC 29601.

THE MARCHBANKS LAW FIRM, LLC



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1225 SOUTH CHURCH STREET  
GREENVILLE, SOUTH CAROLINA 29605

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May 27, 2016

**VIA FIRST CLASS MAIL**

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**Re: Tynslee Elizabeth Fields, Deceased  
Lauren Murphy, Appellant v. Mark Collins, Respondent  
Appellate Case No. 2016-000536**

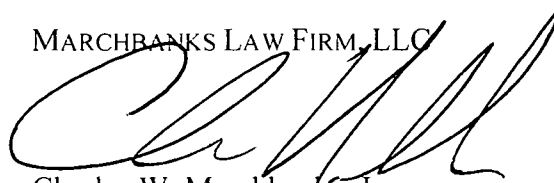
Dear Sir or Madam:

Please find enclosed for filing the original plus one copy of both the APPELLANT'S INITIAL BRIEF and the DESIGNATION OF MATTER in the above-captioned case.

Thank you in advance for your consideration. Should you have any questions, please feel free to contact me directly at 864-552-1606.

Sincerely,

MARCHBANKS LAW FIRM, LLC



Charles W. Marchbanks, Jr.

Enclosures

cc: Paul B. Wickensimer (with enclosures)  
Jessica Salvini, Esq. (with enclosures)  
Jack Read, Esq. (with enclosures)  
Ruth H. DiPasquale, Esq. (with enclosures)

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