

STATE OF SOUTH CAROLINA

In the Court of Appeals

APPEAL FROM YORK COUNTY  
Circuit Court

Case Number 2016-000096

**RECEIVED**

JUL 18 2016

SC Court of Appeals

Estate of Mary Jean Tucker Swiger,

Appellant,

vs.

Ben R. Smith and Margaret P. Kelly as Personal Representatives of the Estate of Vinton Tucker

Respondents.

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

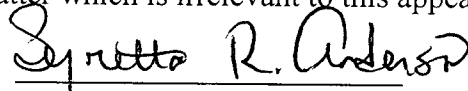
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Appellant proposes the following be included in the Record on Appeal:

1. Order affirming Probate Court's rule filed on December 29, 2015;
2. Last Will and Testament of Vinton Tucker executed on January 14, 2012;
3. Application for Informal Probate of Will;
4. Durable Power of Attorney for Vinton Tucker;
5. Health Care Power of Attorney for Vinton Tucker;
6. Inventory and Appraisement;
7. Petition for Formal Testacy and to Set Aside Informal Probate filed on May 10, 2013;
8. Motion for Temporary Restraining Order filed on January 22, 2014;
9. Order Denying Motion for Restraining Order filed on April 14, 2012;
10. Memorandum of Law in Opposition to Respondents' Motion for Summary Judgment;
11. Order Granting Respondents' Motion for Summary Judgment filed on February 2, 2015;
12. Transcript from Summary Judgment hearing held on December 30, 2014: page 46 lines 8 and 9; page 45 lines 1-4; page 10, lines 21-25; page 11, line 1; page 48, lines 5-12; page 20 lines 1-3; page 19 lines 1-5;
13. Marcy Thomas' deposition, page 58 lines 20-25; page 58 lines 8-12; pages 39 lines 10 - 19; page 40 lines 3 - 16; page 63 lines 23 - 25 and page 64 lines 1-6;

14. Margaret Kelly's Deposition, page 34, lines 15 – 21; page 36 lines 18 – 21; page 19, line 4; page 24, line 25; page 51, line 4; page 41, line 18; page 46, lines 14 - page 47, line 23; page 38 lines 20-25;
15. Ben Smith's Deposition, page 19, lines 6-14; page 7, line 18; page 8, line 2; page 15, lines 3-19; page 16, lines 2 and 22-25; page 19, lines 6-10;
16. Respondents' Answers to Petitioner's First Set of Continuing Interrogatories. Number 10;
17. Dr. Jane Bondurant's deposition. p. 16, lines 11 – 13;
18. Dr. Menes' deposition page 27, line 25; page 28, line 5; page 32, lines 10 – 15;
19. Dr. Jewell's deposition, page 12, line 1 to page 13, line 15; page 19, lines 2 – 21;
20. Ronald Steven Kelly's deposition, page 23 lines 16-18; page 26 lines 17-20.

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



**Syretta R. Anderson**

Anderson Law Firm, P.C.

124 Oakland Avenue

Rock Hill, SC 29730

803-980-5252

Attorney for Appellants

STATE OF SOUTH CAROLINA

In the Court of Appeals

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SC Court of Appeals

Mary Jean Tucker Swiger, by and through her Attorney-in-fact, Carol DeHaven  
Appellant,

Vs.

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Tucker

Respondents.

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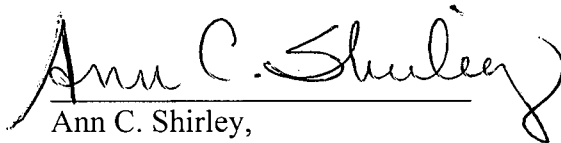
PROOF OF SERVICE

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I certify that I have served the Designation of the Matter to Include in the Record on Appeal and Initial Brief of Appellant on the Respondents, Ben R. Smith and Margaret P. Kelly as Personal Representatives of the Estate of Vinton Tucker by delivering a copy to their counsel, Michael Brackett via electronic and United States Mail, postage prepaid, addressed as follows:

Michael Brackett, Esquire,  
Post Office Box 100261,  
Columbia, South Carolina 29202

Respectfully Submitted,



Ann C. Shirley,  
Paralegal to  
Syretta R. Anderson, Esquire  
Attorney for Appellant

July 14, 2016

SYRETTA R. ANDERSON  
ATTORNEY AT LAW NC & SC  
CERTIFIED FAMILY COURT MEDIATOR, SC

*A*  
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LAW FIRM, PC

July 14, 2016

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SC Court of Appeals

V. Claire Allen, Deputy Clerk  
South Carolina Court of Appeals  
P. O. Box 1629  
Columbia, SC 29211

Re: Swiger vs. Smit and Kelly  
2016-000096

Dear Ms. Allen:

Enclosed please find the original and one copy each of the Designation of Matter to be Included in the Record on Appeal and the Initial Brief of Appellant and Proof of Service in connection with the above referenced matter.

Please return a clocked copy of these documents to me in the enclosed envelope.

I am copying Mr. Brackett as the attorney for the Respondents on this correspondence.

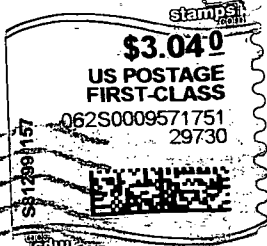
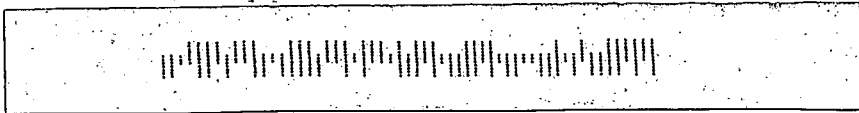
Should you have any questions, please do not hesitate to contact me.

Respectfully,

*Syretta R. Anderson*

Syretta R. Anderson, Esq.  
Attorney for Appellant  
Anderson Law Firm, PC

cc: Michael Brackett, Esq.



Charlotte P&DC NC 282

JUL 18 2016 PM



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ROCK HILL, SOUTH CAROLINA 29730

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