

THE STATE OF SOUTH CAROLINA

In The Court of Appeals

APPEAL from Court of Common Pleas of CHARLESTON COUNTY

J.C. Nicholson, Circuit Court Judge

RECEIVED

CASE NO. 2014-CP-10-5355
Appellate Case No. 2016-000748

AUG 02 2016

SC Court of Appeals

In Re: Estate of Norman R. Knight, Jr., (deceased), Estate of Mildred C. Knight, (deceased), and Norman Robert 'Bobby' Knight, III, Appellants,

v.

Beatrice E. Whitten, as a special administrator, and Chloe Knight-Tonney, Claimant,
Respondents,

DESIGNATION OF MATTER

COMES NOW Appellants propose the following as the Record on Appeal:

DESIGNATION OF MATTER


1. Respondent Tonney's Petition for Allowance of a Claim
2. Petitioner's (Knight's) Petition for the Removal of the Special Administrator
3. Judge Fulp's Order - Petition of Allowance of a Claim: July 11, 2014
4. Judge Fulp's Order - Petition for Removal of the Special Administrator: July 11, 2014
5. Petitioner's Motions to Reconsider, Amend or Alter the Orders (#3 & #4)
6. P. EXH. 1, 11/30/26 Letter
7. P. EXH. 2, 7/7/07 Letter
8. P. EXH. 3, 10/16/07 Letter
9. P. EXH. 4, 3/13/07 Statement and Check
10. P. EXH. 5, Bates Stamp 000039 and Check
11. P. EXH. 6, 10/15/07 Statement and Check
12. P. EXH. 7, 10/24/07 Letter
13. P. EXH. 8, 12/14/07 Letter
14. P. EXH. 9, Check 3364
15. P. EXH. 10, 10/24/10 Letter and Check
16. P. EXH. 11, Handwritten Note and Check
17. P. EXH. 12, Receipts

18. P. EXH. 13, 3/15/06 Letter
19. P. EXH. 14, Check 2594
20. P. EXH. 15, Bishop Gadsden Invoice
21. P. EXH. 16, Bishop Gadsden Invoice
22. P. EXH. 17, Bishop Gadsden Invoice
23. P. EXH. 18, Rehab Documents
24. P. EXH. 19, Collins Office Supply Invoice
25. P. EXH. 20, Reimbursement Breakdown
26. R. EXH. 1, Bishop Gadsden Documents
27. R. EXH. 2, Bishop Gadsden Application
28. R. EXH. 3, Bishop Gadsden Documents
29. R-4, Power of Attorney Revocation
30. R-5, Dr. Derrick's Letter
31. R-6, Dr. Smith's Letter
32. R-7, Guardian Certificate
33. R-8, Conservator Certificate
34. R-9, Motion for New Trial
35. R-10, Notice of Appeal
36. R-11, Roper St. Francis Charges
37. R-12, Family Court Order
38. R-13, Affidavit and Family Court Orders
39. R-14, 1/30/06 Certificate of Mailing
40. R-15, 1/9/06 Letter to Judge Young
41. R-16, October 2006 Hearing Notice
42. R-17, Hearing Notice to Seth Whipper
43. R-18, Motion to Dismiss
44. R-19, Exemplification
45. R-20, Power of Attorney Revocation
46. P-21, 8/25/05 Probate Order
47. P-22, Court of Common Pleas Order
48. P-23, 1/16/06 Order
49. P-24, 1/31/06 Emergency Order
 - a. Petition for Emergency Order by T. Vincent atty for Tonney/Jones
 - b. E. Spencer, Chas Police Dept Affidavit
 - c. G. Churchill GAL Affidavit
 - d. G. Churchill letter 1/09/06 with note from Hon Judge Roger Young via fax to only G. Churchill
 - e. G. Churchill letter 1/09/06 without message from Judge Young
50. R-1, 6/20/08 Letter
51. R-2, 12/19/09 E-Mail
52. R-3, AIG Annuity and Claimant Statement
53. R-4, Funeral Notice
54. R-5, E-Mail from Mac Gibson
55. T-1, Charleston County Tax Notice (*not certified copy; from internet*)
56. T-2, Charleston County Tax Notice (*not certified copy; from internet*)
57. Retainer Agreement Mary Hall Esq; (12/27/2007)
58. Letter; Cc:Linda Jones; Dr. Bumgartner (11/10/03)
59. Power of Attorney(s) to Chloe Tonney and Linda Jones by NRKjr (1/2004)
60. Letter Clerk, Probate Charleston Estate Div date (1/2008(9))
61. Letter Beatrice Whitten, to Knight and Seth Whipper(7/21/2010)

62. Transcript (3/31/14): Claim Disallowance (1/2009)
63. Transcript(4/28/14): Claim Disallowance (1/2009) & Removal: Special Administrator (J. Fulp)
64. Order (8/21/14): Denying Motion for New Trial and to Alter or Amend Judgment (J. Fulp)
65. Order (8/15/14): Denying Motion for Relief from Judgment (60(b)(1)) (J. Fulp)
66. Order (4/22/14): Quashing Respondents' Subpoena Duces Tecum(J. Fulp)
67. Order (1/17/14): Dismissing Bishop Gadsden, Deny Knight Motions, Deferring
68. Order (12/23/13): Granting Motion for Continuance and Partial Granting Motion to Compel (J. Fulp)
69. Order (9/13/13): Granting Motion to Allow Discovery Extension (J. Fulp)
70. Order (7/29/13): Order Deny Motions (J. Fulp)
71. Order (11/28/12): Appointing Special Probate Judge Fulp
72. Order (11/09/15): Allowing Supplement Record on Appeal (CP)
73. Order (1/27/16): Denying Motion to Appeal (CP)
74. Order (3/4/16): Denying Motion for New Trial/Alter Judgment (CP)
75. Closing Argument: (Removal of Special Administrator) (Pet.)
76. Closing Argument: (Disallowance of Claim) (Resp.)
77. Closing Argument: (Removal of Special Administrator (Resp.)
78. Notice of Motion/Motion for a New Trial or to Alter Judgment (Resp.)
79. Transcript (11/9/15) Common Pleas Appeal
80. Memorandum in Support of Motion for New Trial or Alter/Amend Judgment
81. Smith-Barney Subpoena
82. Summons Subcommittee Report (1/21/10)
83. Collins Office Supply Invoice (12/13/13)
84. Smith-Barney Checks (12/12/13).

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

July 29, 2016



J. Seth Whipper
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v.

Beatrice E. Whitten, as a special administrator, and Chloe Knight-Tonney, Claimant,
Respondents,

PROOF OF SERVICE

I certify that I have served the Initial Brief and Designation of Matter on Beatrice E. Whitten, Esquire and C. Mac Gibson Jr., Esquire by depositing a copy to them in the United States Mail, postage prepaid, on July 29, 2016, addressed to attorneys of record, Beatrice E. Whitten, Esquire 1110 Queensborough Blvd, Mt. Pleasant, SC 29464 and C. Mac Gibson Jr., Esquire 1118 Savannah Highway Charleston, SC 29407.

July 29, 2016

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