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THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

APPEAL FROM CHARLESTON COUNTY
COURT OF COMMON PLEAS

J.C. Nicholson, Jr., Circuit Court Judge

Case No. 2014-CP-10-5355

RECEIVED

OCT 17 2016

SC Court of Appeals

IN RE: ESTATE OF NORMAN ROBERT KNIGHT, JR.,
(deceased), ESTATE OF MILDRED C. KNIGHT (deceased),
and NORMAN ROBERT "BOBBY" KNIGHT, III,

Appellants,

-versus-

BEATRICE E. WHITTEN, AS A SPECIAL ADMINISTRATOR,
and CHLOE KNIGHT-TONNEY, CLAIMANT,

Respondents.

**RESPONDENT CHLOE KNIGHT-TONNEY'S
MOTION TO CORRECT RECORD ON APPEAL**

C. Mac Gibson, Jr., Esquire
1118 Savannah Highway
Charleston, SC 29407
(843)852-4646
Attorney for Respondent
Chloe Knight-Tonney

Other Counsel of Record:
Jackson Seth Whipper, Esquire
P.O. Box 70070
North Charleston, SC 29415
(843) 853-0011
Attorney for Appellants

Beatrice W. Whitten, Esquire
1110 Queensborough Blvd, Suite 100
Mt. Pleasant, SC 29464
Respondent

On October 11, 2016, Respondent Chloe Knight-Tonney ("Respondent Tonney") through her undersigned attorney received the Record on Appeal from Appellants. Upon the review of the Record on Appeal, Respondent Tonney discerned that Appellants did not include all designations as listed in Appellants' and Respondent Tonney's Designation of Matter.

Appellants indicated in number 62 and number 63 of their Designation of Matter that the transcript for the hearing on March 31, 2014, and the transcript for the hearing on April 28, 2014, would be included in the Record on Appeal. Respondent Tonney stated in her Designation of Matter that number 62 and number 63 of the Appellants' Designation of Matter were to be a part of the Record on Appeal.

The Appellants limited the Record on Appeal to include only portions of the trial transcripts that Appellants referred in their initial brief. The Appellants omitted in the Record on Appeal parts of the trial transcripts that Respondent Tonney cited in her initial brief.

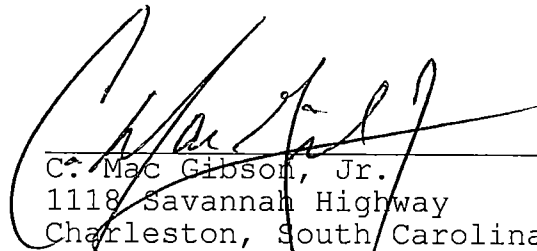
Respondent Tonney relied on Appellants' Designation of Matter that the complete trial transcripts would be made a part of the Record on Appeal, which the Appellants did when they filed the Record on Appeal with the Charleston County Clerk of Court in their appeal from the Charleston County Probate Court. The Appellants have taken advantage of their own ambiguous designations to prevent Respondent Tonney's designations from

being made a part of the Record on Appeal.

Additionally, Respondent Tonney requested in her Designation of Matter that an Order from the South Carolina Court Administration dated August 5, 2008 be included in the Record on Appeal. The Appellants referred to such designation as 2.13.1 in the index of the Record of Appeals, but they did not include a copy of such Order in the Record on Appeal.

Respondent Tonney requests this Honorable Court to order the Appellants to include parts of the transcripts that she cited in her initial brief that are attached hereto and to include a copy of the Order from the South Carolina Court Administration dated August 5, 2008 in the Record on Appeal.

Respectfully submitted,



C. Mac Gibson, Jr.
1118 Savannah Highway
Charleston, South Carolina 29407
(843) 852-4646
Attorney for Respondent
Chloe Knight-Tonney

Charleston, South Carolina
October 12, 2016

PARTS OF THE TRANSCRIPTS TO BE INCLUDED IN RECORD ON APPEALS
Cited in Initial Brief

1. Tr. p. 166, line 25- p. 167, l. 19 p. 5
2. Tr. p. 166, line 17- p. 167, line 19 p. 5
3. Tr. p. 159, line 8- p. 163, line 5 p. 11
4. Tr. p. 134-p. 150, line 17 p. 14
5. Tr. p. 107, lines 15-22 p. 14
6. Tr. p. 83, lines 12-16 p. 15
7. Tr. p. 120, line 22-p. 123, line 18 p. 15
8. Tr. p. 84, lines 13-17 p. 15
9. Tr. p. 84, line 18- p.85, line 3 p. 15
10. Tr. p. 87, line 16- p.88, line 11 pp. 15-16
11. Tr. p. 82, line 23- p. 83, line 5 p. 22
12. Tr. p. 116, lines 9-21 p. 22
13. Tr. p. 83, lines 12-16 p. 22
14. Tr. p. 113, line 22-p. 116, line 21 p. 22
15. Tr. p. 104, lines 14-18 p. 23
16. Tr. p. 123, lines 3-11 p. 23
17. Tr. p. 84, lines 8-17 p. 25
18. Tr. p. 120, line 12-p. 121, line 11 p. 25

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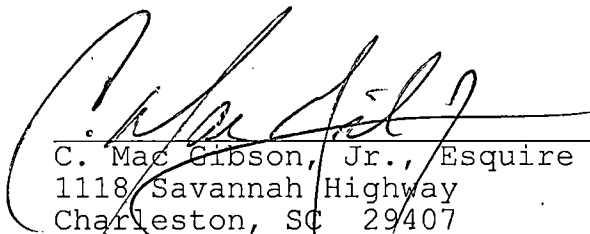
-versus-

BEATRICE E. WHITTEN, AS SPECIAL ADMINISTRATOR,
and CHLOE KNIGHT-TONNEY, CLAIMANT,

Respondents.

CERTIFICATE OF SERVICE

I certify that I have served Respondent Chloe Knight-Tonney's Motion to Correct Record on Appeal and attachment to Appellants and to Respondent Beatrice E. Whitten by depositing a copy of Respondent Chloe Knight-Tonney's Motion to Correct Record on Appeal and attachment in the United States Mail, postage prepaid, on October 12, 2016, addressed to Appellants' attorney of record, Jackson Seth Whipper, Esquire, P.O. Box 70070, North Charleston, SC 29415, and to Respondent Beatrice E. Whitten at 1110 Queensborough Blvd., Suite 100, Mt. Pleasant, SC 29464.



C. Mac Gibson, Jr., Esquire
1118 Savannah Highway
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Telephone: (843) 852-4646
Attorney for Respondent
Chloe Knight-Tonney

October 12, 2016

C. MAC GIBSON, JR.
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Charleston, South Carolina 29407

Telephone: (843) 852-4646
cmacgibson@yahoo.com

Facsimile: (843) 225-6208

October 12, 2016

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

The Honorable Jenny Abbott Kitchings
Clerk of the South Carolina Court of Appeals
P.O. Box 11629
Columbia, South Carolina 29211

RECEIVED
OCT 17 2016
SC Court of Appeals

Re: In Re: Estate of Norman Robert Knight, Jr., (deceased), et al. v. Beatrice E. Whitten, et al.
Appeal from Charleston County Court of Common Pleas
Case No.: 2014-CP-10-5355

Dear Mrs. Kitchings:

As the attorney for Respondent Chloe Knight-Tonney, I have enclosed the following documents pertaining to the above-referenced appeal:

1. An original and seven (7) copies of Respondent Chloe Knight-Tonney's Motion to Correct Record on Appeal and attachment; and
2. Certificate of Service.

I would appreciate it if you would file the original and six (6) copies of Respondent Chloe Knight-Tonney's Motion to Correct Record on Appeal and attachment along with the Certificate of Service. Also, I would like to receive a filed copy of Respondent Chloe Knight-Tonney's Motion to Correct Record on Appeal and attachment, and Certificate of Service. I have enclosed a stamped self addressed envelope for such filed copies.

I have enclosed a check in the amount of twenty five dollars (\$25) for the filing fee.

If you have any questions concerning this matter, then please contact me.

With kind regards, I am

Sincerely,


C. Mac Gibson, Jr.

Enclosures (as stated)
cc: J. Seth Whipper, Esq. (w/ encls.)
Beatrice E. Whitten, Esquire (w/ encls.)

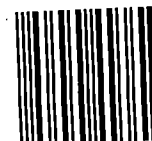
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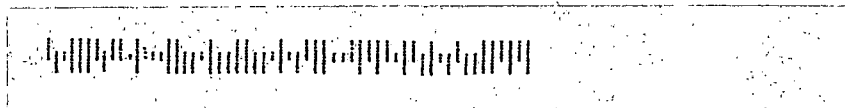
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Attorney at Law
1118 Savannah Highway
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