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THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS.

APPEAL FROM YORK COUNTY
COURT OF COMMON PLEAS

S. JACKSON KIMBALL, SPECIAL COURT JUDGE

CASE NO. 2016-002176

Edward R. Kelly and Deirdre O. Kelly,
Appellants

v.

Allen S. McCombs and Benjamin James Russell,
Respondents

DESIGNATION OF MATTER TO BE
INCLUDED IN THE RECORD ON APPEAL

Respondents propose the following to be included in the Record on Appeal:

1. Order of September 30, 2016.
2. Complaint.
3. Answer of Benjamin James Russell.
4. Answer and Counterclaim of Allen McCombs.
5. Appellant's Reply to Counterclaim of Defendant.
6. Motion of Respondent Russell with Exhibits.
7. Motion of Respondent Allen McCombs.

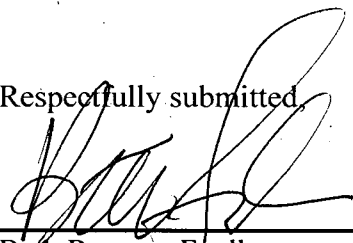
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8. Appellant's Brief in Opposition to Defendants' Motion to Dismiss and for Summary Judgment.
9. Motion Brief submitted by Counsel William Brice for Respondent Benjamin Russell
10. Affidavit of Appellant Edward R. Kelly with Exhibits.
11. Affidavit of Respondent Russell in Support of Motion.
12. Deed from Appellant Edward Kelly to Henry McCombs.
13. Quitclaim Deed from Henry McCombs to Respondent Allen McCombs.
14. Deed from Respondent Allen McCombs to Respondent Benjamin Russell.
15. Transcript of Proceedings from Hearing on Defendant's Motion for Summary Judgment and Motion to Dismiss held on September 7, 2016, pages 1-55.

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

York, South Carolina
January 13, 2017

Respectfully submitted,



Beth Ramsey Faulkner
Attorney for Respondents
Faulkner Law Firm, LLC
P.O. Box 1030
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(803) 818-5700

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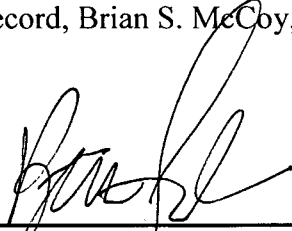
**Edward R. Kelly and Deirdre O. Kelly,
Appellants**

v.

**Allen S. McCombs and Benjamin James Russell,
Respondents**

PROOF OF SERVICE

I certify that I have served the Respondents' Brief and Designation of Matter to be included in Record on Appeal by depositing a copy of it in the United States Mail, postage prepaid on January 13, 2017 addressed to the attorney of record, Brian S. McCoy, 378 East Main Street, Rock Hill, SC 29730.



Beth Ramsey Faulkner
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York, South Carolina
January 13, 2017

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Faulkner Law Firm LLC

616 E. Liberty Street
P.O. Box 1030
York, SC 29745

January 13, 2017

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

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RE: *Edward R. Kelly and Deirdre O. Kelly v. Allen S. McCombs and Benjamin James Russell*
Case No.: 2016-002176

Dear Ms. Kitchings:

Please find enclosed the original and one copy of the Respondents' Brief, Designation of Matter to be Included in Record on Appeal, and Proof of Service in the above referenced matter. Please file these documents with your office and return the copies to me in the enclosed self-addressed stamped envelope.

By copy of this letter, I am also serving the Appellants' counsel.

If you have any questions concerning this matter, please do not hesitate to contact me at (803) 818-5700.

With kind regards, I am

Yours very truly,

Beth Ramsey Faulkner
Attorney

BRF/tsh

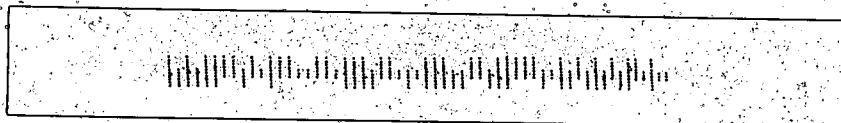
Enc.: As Noted.

cc: Brian S. McCoy, Esq.
Allen McCombs
Benjamin Russell

Faulkner Law Firm, LLC

BETH RAMSEY FAULKNER

Attorney & Counselor at Law
P.O. Box 1030
York, South Carolina 29745



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