

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

RECEIVED

APPEAL FROM YORK COUNTY
Court of Common Pleas

FEB 08 2017

S. Jackson Kimball, Master in Equity for York County SC Court of Appeals

Appellate Case No. 2016-000451

William G. Tucker,

Respondent,

v.

Connie Lynn Batey,

Appellant.

DESIGNATION OF MATTER
TO BE INCLUDED IN RECORD ON APPEAL

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

1. Order dated December 30, 2015 and filed January 4, 2016;
2. Order of Foreclosure and Sale dated January 14, 2016 and filed January 15, 2016;
3. Order denying Rule 59 Motion dated February 4, 2016 and filed February 9, 2016;
4. Complaint dated March 26, 2015 and filed March 30, 2015, with attachments;
5. Answer and Counterclaim dated May 1, 2015 and filed May 4, 2015, with attachments;
6. Reply to Counterclaim dated May 20, 2015;
7. Plaintiff's Trial Brief, dated December 15, 2015;
8. Defendant's Trial Brief, dated December 16, 2015;
9. Rule 59 Motion to alter or amend Judgment, Motion served January 15, 2015 and filed January 19, 2016;
10. Deposition of William G. Tucker, dated July 14, 2015, p.3 – 38;
11. Deposition of Connie Lynn Batey, dated August 25, 2015;
12. Transcript of Hearing on December 16, 2015, p.4 – 40;
13. Plaintiff's Exhibits 1-7; and
14. Defendant's Exhibit 1.

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


John Martin Foster

Post Office Box 106
Rock Hill, South Carolina 29731
(803) 324-8100
Attorney for Appellant

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William G. Tucker,

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CERTIFICATE OF SERVICE

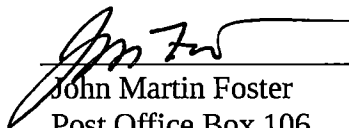
I certify that, on the date below, I have served the Initial Brief of Appellants and Designation of Matter to Be Included in the Record on Appeal on the following counsel of record:

Brian S. McCoy
McCoy Law Firm, LLC
378 East Main Street
Rock Hill, S. C. 29730
Attorney for Respondent

by depositing the same with the United States mail, with sufficient first class postage attached, properly addressed to the clerk of the Court, and with a copy also directed to the respective last known address(es) of those attorney(s) and/or persons set out below; or

by hand delivering copies of the same to the following persons, or by leaving the same at that person's office with that person's clerk or some other person in charge thereof, or by leaving it in a conspicuous place therein; of if the office was closed or the person to be served has no office, by leaving a copy at that person's dwelling place or usual place of abode with some person of suitable age and discretion then residing therein, all pursuant to Rule 233(b), S.C.A.C.R.

February 6, 2017



John Martin Foster
Post Office Box 106
Rock Hill, South Carolina 29731
(803) 324-8100
Attorney for Appellant

JOHN MARTIN FOSTER

Attorney at law

The Guardian Building	PO Box 106	803 324 8100
223 East Main Street Suite 520	Rock Hill SC	803 324 8109 Fax
Rock Hill South Carolina 29730	29731-6106	jmfoster@comporium.net

February 6, 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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SC Court of Appeals

Re: William G. Tucker, Respondent,
v. Connie Lynn Batey, Appellant.

Appellate Case No. 2016-000451

Dear Ms. Kitchings:

In accordance with Rule 208, S.C.A.C.R., enclosed herewith please find the original and one (1) copy each of the Appellants' Initial Brief and Designation of Matter to Be Included in the Record on Appeal, together with Certificate of Service for the same in the above referenced case.

By copy of this letter, I am serving the attorney for the Respondent with copies of the said Initial Brief and Designation of Matter, as evidenced by the Certificate of Service.

Please return the extra conformed copy to my office in the enclosed self-addressed, stamped envelope. As always, thank you, and your staff, for your assistance in these matters.

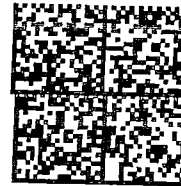
Sincerely yours,


John Martin Foster

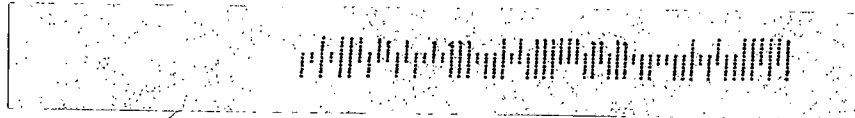

jmf/
enclosures

cc: Client File

Brian S. McCoy
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(803) 366-2280



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SC Court of Appeals

John Martin Foster Attorney

223 East Main St Suite 520
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Rock Hill SC 29731-6106

TO:

THE HONORABLE JENNY ABBOTT KITCHINGS
CLERK OF THE COURT OF APPEALS
POST OFFICE BOX 11629
COLUMBIA, S.C. 29211