

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM LEXINGTON COUNTY
In the Court of Common Pleas

R. Knox McMahon, Presiding Judge

Case No. 2012-212487

RECEIVED

NOV 16 2012

SC Court of Appeals

Mariko Marie Clack.....Respondent,

v.

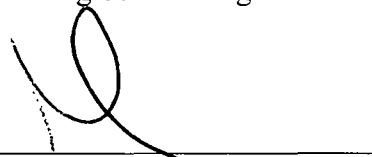
Eddie Arnold Smith, d/b/a the Lawn Doctor.....Appellant.

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

Pursuant to Rule 209, SCAR, Appellant proposes the following be included in the Record on Appeal. Undersigned counsel certifies, pursuant to Rule 209(c) SCAR that the designation contains no matter which is irrelevant to the appeal.

1. Summons and Complaint filed December 3, 2010;
2. Notice of Appearance dated December 22, 2010;
3. Answer of Appellant dated December 29, 2010;
4. Affidavit of Service dated December 31, 2010;
5. Motion for Default Judgment dated April 12, 2011;
6. Motion for Summary Judgment dated September 27, 2010;

7. Affidavit of Plaintiff/Respondent dated October 14, 2011;
8. Memorandum of Law in Support of Summary Judgment dated October 25, 2011;
9. Order Granting Partial Summary Judgment dated October 26, 2011;
10. Motion to Vacate and File a Late Answer dated November 8, 2011;
11. Answer of Defendant/Appellant dated November 8, 2011;
12. Order dated January 31, 2012;
13. Order Substituting Counsel January 31, 2012;
14. Respondent's Memorandum of Law in Response to Motion with attachments;
15. Affidavit of Bryan Thompson dated February 1, 2012;
16. Order of Judge McMahon dated June 19, 2012;
17. Notice of Appeal;
18. Transcript of Record February 2, 2012 Hearing before Judge McMahon.



S. Jahue Moore, Esquire
John C. Bradley, Jr., Esquire
MOORE, TAYLOR & THOMAS, P.A.
1700 Sunset Boulevard
P.O. Box 5709
West Columbia, South Carolina 29171
Telephone: 803) 796-9160

ATTORNEYS FOR APPELLANT

November 16, 2012

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PROOF OF SERVICE

I certify that I have served the Initial Brief of Appellant and Appellant's Designation of Matter to be Included in the Record on Appeal by mail, to Donald E. Jonas, Esquire, Post Office Box 99, Lexington, South Carolina 29071, on November 16, 2012.


S. Jahue Moore, Esquire
John C. Bradley, Jr. Esquire
MOORE, TAYLOR, & THOMAS, PA
Post Office Box 5709
West Columbia, SC 29169
(803)-796-9160
(803)-791-8410

ATTORNEYS FOR APPELLANT