

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM DORCHESTER COUNTY
Court of Common Pleas
The Hon. Diane S. Goodstein, Circuit Court Judge

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APR 27 2017

SC Court of Appeals

Appellate Case No. 2016-002193

Civil Action No. 2014-CP-18-0358

Civil Action No. 2014-CP-18-1792

Civil Action No. 2014-CP-18-1793

Bank of North Carolina *Respondent,*

v.

Anthony M. Whitfield and Cindy Whitfield *Defendants.*

Of whom Anthony M. Whitfield is the Appellant and Cindy Whitfield is a
Respondent.

Anthony M. Whitfield *Appellant,*

v.

David Swanson *Respondent.*

DESIGNATION OF MATTER TO BE
INCLUDED IN THE RECORD ON APPEAL

Andrew J. McCumber
Slotchiver & Slotchiver, LLP
44 State Street
Charleston, South Carolina 29401
Telephone: (843) 577-6531

COUNSEL FOR THE APPELLANT

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

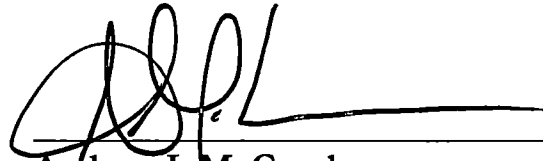
1. *Order Granting Motion to Dismiss Third Party Claims dated July 15, 2016*
2. *Order Denying Motion to Reconsider dated September 29, 2016*
3. *Consent Order to Amend Answer*
4. *Summons & Complaint (Bank of North Carolina)*
5. *Answer (Anthony M. Whitfield)*
6. *Reply (Bank of North Carolina)*
7. *Amended Answer and Counterclaims (Anthony M. Whitfield)*
8. *Reply to Amended Answer (Bank of North Carolina)*
9. *Answer to Defendant's Third Party Claims (David Swanson)*
10. *Motion to Amend Answer and Add New Parties (Anthony M. Whitfield)*
11. *Motion to Strike Defendant's Third Party Claims (David Swanson)*
12. *Motion to Reconsider Pursuant to Rule 59(e) (Anthony M. Whitfield)*
13. *Memorandum in Support of Motion to Reconsider (Anthony M. Whitfield)*
14. *Transcript of Proceedings dated August 25, 2016*
15. *Notice of Appeal*

CERTIFICATION BY COUNSEL

I, the undersigned counsel, do hereby certify that this designation contains no matter which is irrelevant to this appeal.

Respectfully submitted this **25th** day of **April, 2017**.

By: _____



Andrew J. McCumber

Slotchiver & Slotchiver, LLP

44 State Street

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Telephone: (843) 577-6531

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COUNSEL FOR THE APPELLANT

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SC Court of Appeals

Bank of North Carolina, Respondent,

v.

Anthony M. Whitfield and Cindy Whitfield, Defendants

Of whom Anthony Whitfield is the Appellant and Cindy Whitfield is a Respondent.

Anthony Whitfield, Appellant,

v.

David Swanson, Respondent.

PROOF OF SERVICE

I certify that I have served the **Appellant's Designation of Matters to be Included in the Record on Appeal** upon the Respondents Bank of North Carolina, Cindy Whitfield, and David Swanson by depositing a copy of same in the United States Mail, postage prepaid, on April 25, 2017, addressed to their attorney of record, as follows:

David W. Overstreet, Esquire
Earhart Overstreet, LLC
Post Office Box No. 22528
Charleston, South Carolina 29413
(843) 972-9400

ATTORNEY FOR RESPONDENT DAVID SWANSON

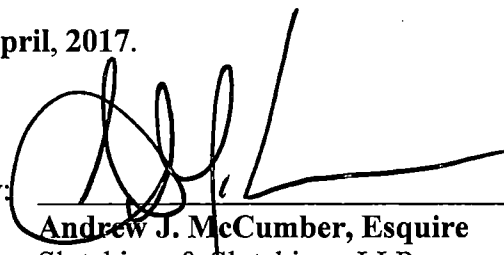
Brian C. Duffy, Esquire
Thomas A. Limehouse, Jr., Esquire
Duffy & Young, LLC
96 Broad Street
Charleston, South Carolina 29401
(843) 720-2044

ATTORNEYS FOR RESPONDENT BANK OF NORTH CAROLINA

Paul B. Ferrara, III, Esquire
Ferrara Law Firm, PLLC
2300 Otranto Road
N. Charleston, South Carolina 29406
(843) 559-5511

ATTORNEY FOR RESPONDENT CINDY WHITFIELD

Respectfully submitted this **25th** day of **April, 2017**.

By: 

Andrew J. McCumber, Esquire
Slotchiver & Slotchiver, LLP
44 State Street
Charleston, South Carolina 29401
(843) 577-0261

ATTORNEY FOR APPELLANT

SLOTCHIVER & SLOTCHIVER, L.L.P.

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EST. 1959

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April 25, 2017

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VIA REGULAR MAIL & FACSIMILE:

THE HONORABLE JENNY ABBOTT KITCHINGS
CLERK, SOUTH CAROLINA COURT OF APPEALS
POST OFFICE BOX 11629
COLUMBIA, SOUTH CAROLINA 29211

RE: Bank of North Carolina v. Anthony M. Whitfield

Appellate Case No.: 2016-002193

Case Nos.: 2014-CP-18-0358; 2014-CP-18-1792; 2014-CP-18-1793

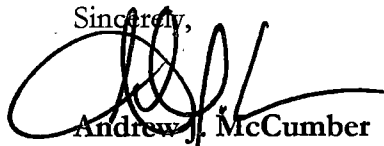
Dear Ms. Kitchings:

Enclosed you will please find two (2) copies of the Appellant's Designation of Matters to be Included in the Record on Appeal, along with two (2) copies of the Certificate of Service with regard to same for filing. Please return one clocked copy to my office using the self-addressed, postage-paid envelope you will also find enclosed.

Please note that I have copied all counsel of record to this correspondence pursuant the South Carolina Appellate Rules.

I thank you in advance for your time and attention to this matter, and please do not hesitate to let me know if the Court requires anything further from us in this regard.

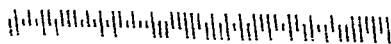
Sincerely,


Andrew J. McCumber
Attorney for the Appellant

AJM/ssh

Enclosure(s) as stated.

cc: David W. Overstreet, Esquire (*via regular mail*)
Brian C. Duffy, Esquire (*via regular mail*)
Paul B. Ferrara, III, Esquire (*via regular mail*)
Brent Halversen, Esquire (*via email*)
Daniel S. Slotchiver, Esquire (*via email*)



CHARLESTON SC 294
TUE 25 APR 2017 PM

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THE HON. JENNY ABBOTT KITCHINGS
CLERK, S.C. COURT OF APPEALS
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