

IN THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM ANDERSON COUNTY
Court of Common Pleas

R. Lawton McIntosh, Circuit Judge

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MAY 05 2017

SC Court of Appeals

Appellate Case No.: 2016-001653

William Rice Cook, III Appellant

v.

Benny Richard Phillips, Jr., and the real estate property located at 207 North
Avenue, Anderson, SC 29625 TMS # 123-26-08-02 Respondent

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

The Respondent, Benny Richard Phillips, Jr. by and through his undersigned attorney, hereby designates the following materials to be included in the Record on Appeal in the above-captioned action, in addition to those materials set forth in Appellant's Designation of Matter to Be Included in the Record on Appeal :

1. Statement of creditor's claim filed September 16, 2015 in the Estate of Benny R. Phillips, Sr.
2. Notice of Disallowance of Claim filed September 11, 2015.
3. Order of Removal to Circuit Court dated October 23, 2015.
4. Motion for Summary Judgment filed in the Estate of Benny Richard Phillips, Sr. Estate dated November 24, 2015.
5. Sales Agreement Harden/Cook dated February 28, 2006.
6. Sales Agreement Harden/Cook dated August 11, 2006.

7. Stipulation of Dismissal without Prejudice dated January 21, 2016.
8. Excerpt (first page) of Power of Attorney of Claudia Harden recorded in Deed Book 1840 at page 190.
9. Excerpt (Item III) of the Will of Claudia Harden dated May 22, 1992.
10. Deed of Distribution filed in Register of Deeds Office Deed Book 11576 at page 247 and Deed Book 11717 at page 168.
11. Defendant's Brief in Reply to Plaintiff's Affidavit.
12. Phillips Hearing Brief filed June 13, 2016.

Attorney for the Respondent certifies that this Designation contains no materials that are irrelevant to this appeal.

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ATTORNEY FOR THE RESPONDENT

May 3, 2017

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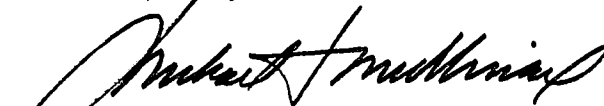
CERTIFICATE OF SERVICE

I certify that I have served the Initial Brief of the Respondent and Designation of Matter to Be Included in the Record on Appeal, on the Attorneys for the Appellant, William Rice Cook, III, by depositing a copy of same in the United States Mail, postage prepaid, and addressed as follows:

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May 3, 2017



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