

IN THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM HORRY COUNTY
Court of Common Pleas

Benjamin H. Culbertson, Circuit Court Judge

Case No.: 2014-CP-26-7264
Appellant Case No.: 2017-000471

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DEC 20 2017
SC Court of Appeals

Gregory Duerk, Donald L. Duerk and Deborah Duerk Tiller,.....Appellants

vs.

Geoffrey Duerk, Kristen Duerk and James M. Stewart,.....Respondents

RESPONDENT STEWART'S DESIGNATION OF MATTER

Pursuant to Rule 209, SCACR, Respondent James M. Stewart designates the following items for inclusion in the Record on Appeal:

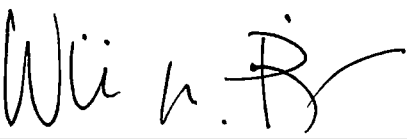
1. Transcript of hearing on Motion to Dismiss on November 8, 2016;
2. Amended Complaint filed March 28, 2016;
3. Respondent's Motion to Dismiss filed June 15, 2016;
4. Respondent's Memorandum in Support of Motion to Dismiss filed June 15, 2016;
5. Appellants' Memorandum in Opposition to Respondent's Motion to Dismiss filed July 12, 2016;
6. Appellants' Rule 59(e), SCRCF Motion to Reconsider filed November 22, 2016;
7. Order Dismissing Respondent Stewart filed November 10, 2016;
8. Order Denying Appellants' Rule 59(e), SCRCF, Motion for Reconsideration filed January 10, 2017;

9. Affidavit of Respondent Stewart (Exhibit B to Respondent's Memorandum in Support of Motion to Dismiss) filed June 15, 2016;
10. Affidavit of Clifford H. Tall (Exhibit A to Appellants' Memorandum in Opposition to Respondent's Motion to Dismiss) filed July 12, 2016;
11. Notice of Appeal filed February 14, 2017.

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

Respectfully submitted,

COLLINS & LACY, P.C.

By: 

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ATTORNEYS FOR RESPONDENT
JAMES M. STEWART

Murrells Inlet, South Carolina
December 18, 2017

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PROOF OF SERVICE

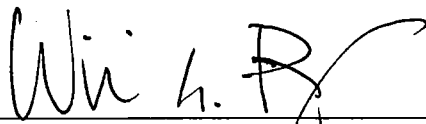
I hereby certify that I served Respondent Stewart's Designation of Matter upon all parties, by placing a copy in the United States mail, postage prepaid, to all counsel of record on December 18, 2017, addressed to the following:

COUNSEL SERVED:

Thomas C. Brittain, Esquire
THE BRITTAIN LAW FIRM, P.A.
4614 Oleander Drive
Myrtle Beach, SC 29577
Attorney for Appellants

Jay M. Bultz, Esquire
BULTZ LAW OFFICES, PA
417 79th Avenue North, Suite A
Myrtle Beach, SC 29572
Attorney for Co-Respondents Geoffrey Duerk and Kristen Duerk

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December 18, 2017

The Honorable Jenny A. Kitchings
South Carolina Court of Appeals
Post Office Box 11629
Columbia, SC 29211

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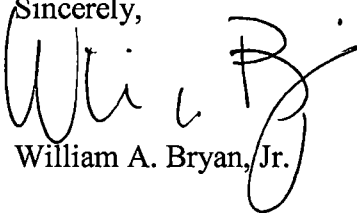
Re: Gregory Duerk, Donald L. Duerk, Jr. and Deborah Duerk Tiller v. Geoffrey Duerk, Kristen Duerk and James M. Stewart
Appellate Case No. 2017-000471
C&L File No. 001326-00127

Dear Ms. Kitchings:

Please find enclosed for filing the original and one (1) copy each of Respondent Stewart's Initial Brief and Respondent's Designation of Matter with Proof of Service in the above-referenced matter. Please file the originals and return clocked copies in the enclosed stamped, self-addressed envelope.

By copy of this letter and enclosures, I am serving same on counsel of record.

With kind regards,

Sincerely,

William A. Bryan, Jr.

WABJR:ljc
Enclosures
cc: Thomas C. Brittain, Esquire
Jay M. Bultz, Esquire

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