

ORIGINAL

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM CHARLESTON COUNTY
Court of Common Pleas

Mikell R. Scarborough, Master-in-Equity

Case No. 2005-CP-10-4101

Appellate Case No.: 2012-212136

The Milton P. Demetre Family Limited Partnership.....Appellant,

v.

Harry Beckmann, III, Patricia P. Beckmann, Annie Ruth Hilton Crowley,
Raymond Moody Crowley, Donald William Crowley, Harris L. Crowley, Jr.,
and Annie Ruth Crowley Akinson.....Respondents.

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

Respondents propose the following be included in the Record on Appeal:

1. Appellant's Rule 59(e) Motion to Alter or Amend the Order on Remand, filed February 2, 2012;
2. The Honorable Mikell R. Scarborough's Order on Remand, filed January 13, 2012;
3. The Honorable Mikell R. Scarborough's Order Denying Plaintiff's Rule 59(e) Motion for Relief, filed April 19, 2012;
4. Unpublished Opinion No. 2009-UP-029, Re-filed April 21, 2009;
5. Appellant's Notice of Appeal dated May 31, 2012;
6. Correspondence from counsel for Appellant, dated September 12, 2011;
7. Correspondence from Court of Appeals, dated September 13, 2012;

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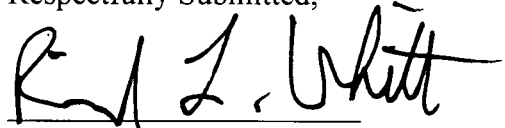
SC Court of Appeals

8. Appellant's Motion to Accept Designation of Matter and Initial Brief Out of Time, dated September 21, 2012;
9. Court of Appeals Order filed November 15, 2012;
10. Respondents' Motion for Extension of Time, filed November 19, 2012;
11. 1920 Cummings and McCrady Plat;
12. 1920 Jefferson Construction Plat;
13. 2005 Kennerty Topographic Plat; Oversized Document;
14. 1965 Plat, tracing the 1920 Plat;
15. 1968 Plat, Oversized Copy, Redrawn;
16. 1786 Grant and Plat;
17. 1895 Tartus' Plat;
18. 1943 Master's Deed;
19. Appellant's 2004 Deed from Seabrook, Jr.;
20. December 12, 2006, Hearing, Plaintiff's Exhibit "K";
21. Transcript of Proceedings from Hearing held on December 12, 2006: p. 5; p. 6; p. 10; p. 35; p. 136; p. 139; p. 140; p. 298, p. 299; p. 300; p. 301; p. 302; p. 303; p. 304; p. 305; p. 306; p. 307; p. 308; p. 309; p. 310; p. 311; p. 312; p. 313; p. 314; p. 315; p. 316; p. 317; p. 346; p. 347;
22. Transcript of Proceedings from Hearing held on October 21, 2011: p. 6; p. 7; p. 8; p. 10.

[Signature Page Follows]

I certify that this Designation of Matter to be Included in the Record on Appeal, contains
no matter which is irrelevant to this appeal.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Richard L. Whitt". The signature is written in a cursive style with a horizontal line underneath the name.

Richard L. Whitt
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Attorneys for the Respondents

December 14, 2012

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PROOF OF SERVICE

I, Carrie A. Schurg, an employee of Austin & Rogers, P.A., certify that I have caused to be served, a copy of Respondents' Initial Brief, Designation of Matter to be Included in the Record on Appeal and this Proof of Service, via U.S. Mail on December 14, 2012 as addressed below.

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John Hughes Cooper, P.C.
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Carrie Schurg
Carrie A. Schurg

December 14, 2012

SC Court of Appeals

Austin & Rogers, P.A.

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December 14, 2012

VIA, HAND-DELIVERY


The Honorable Jenny Abbott Kitchings
Clerk of Court
South Carolina Court of Appeals
1015 Sumter Street
Columbia, South Carolina 29201

- Re: ● The Milton P. Demetre Family Limited Partnership vs. Harry Beckmann, III, *et al.*
● Appellate Case No.: 2012-212136
● **Initial Brief and Designation of Matter**

Dear Ms. Kitchings:

Enclosed for filing, please find Respondents' Initial Brief, Designation of Matter and Proof of Service in the above-referenced matter.

Please accept these documents for filing and acknowledge receipt of the same by file-stamping the copies enclosed and returning them to me, via our courier. Please don't hesitate to contact the undersigned if you have any questions or concerns. With best regards, I am,

Respectfully,
AUSTIN & ROGERS, P.A.

Richard L. Whitt
Jefferson D. Griffith, III

RLW/cas
Enclosures

cc: John Hughes Cooper, Esquire
Cain Denny, Esquire

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