

IN THE STATE OF SOUTH CAROLINA  
In The Court Of Appeals

APPEAL FROM HORRY COUNTY  
Court Of Common Pleas

Larry B. Hyman, Circuit Court Judge

**RECEIVED**  
MAR 05 2019  
SC Court of Appeals

Case No.: 2015-CP-26-05633  
Appellate Case No.: 2018-001497

Bobby Foster, ..... Appellant,

vs.

Julian Neil Armstrong, ..... Respondent.

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

Respondent proposes the following be included in the Record on Appeal:

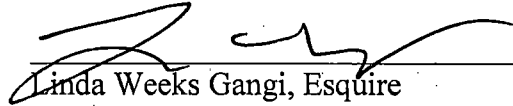
1. Summons and Complaint;
2. Affidavit of Nonservice;
3. Petition for Publication;
4. Affidavit for Publication;
5. Order for Publication;
6. Affidavit of Publication;
7. Plaintiff's Motion for Entry of Default and Request for Hearing on Damages;
8. Order for Entry of Default and Referral for Hearing on Damages;

9. Notice of Appearance;
10. Motion to Set Aside Order for Entry of Default and Order for Publication;
11. Affidavit of Julian Armstrong;
12. Plaintiff's Response in Opposition to Defendant's Motion to Set Aside Default and Order for Publication;
13. Order Setting Aside Order for Publication and Setting Aside Order for Entry of Default and Referral for Hearing on Damages;
14. Answer;
15. Plaintiff's Motion to Reconsider;
16. Form 4 Judgment – Plaintiff's Motion to Reconsider Ruling to Set Aside Publication Denied;
17. Order Denying Motion to Reconsider the October 21, 2016 Order Setting Aside Order of Publication and Setting Aside Order for Entry of Default;
18. Defendant's Motion for Summary Judgment and Memorandum;
19. Plaintiff's Memorandum of Law in Opposition to Defendant's Motion for Summary Judgment;
20. Form 4 Summary Judgment Granted;
21. Order Granting Summary Judgment and Dismissing Action with Prejudice;
22. Plaintiff's Motion to Reconsider – Court's Grant of Summary Judgment of 7-7-2017;
23. Form 4 Denying Plaintiff's Motion for Reconsideration;
24. Order Denying Plaintiff's Motion for Reconsideration of the Court's Order Granting Summary Judgment and Dismissing Action with Prejudice;

25. South Carolina Uniform Traffic Accident Report; and
26. Transcript of the October 17, 2016 hearing on the Motion to Set Aside Order for Publication and Order for Entry of Default.

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

Respectfully submitted, this the 4<sup>th</sup> day of March, 2019.



Linda Weeks Gangi, Esquire  
THOMPSON & HENRY, P.A.  
PO Box 1740  
Conway, SC 29528-1740  
(843) 248-5741 (p)  
[lgangi@thompsonlaw.com](mailto:lgangi@thompsonlaw.com)  
SC Bar No.: 2365  
Attorney for the Respondent

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**CERTIFICATE OF SERVICE**

I, Neicey Smith, certify that I have served the **Respondent's Initial Brief and Designation of Matter on Appeal** on Bobby Foster by depositing a copy of it in the United States Mail, postage prepaid, as well as via email on March 4, 2019, addressed to his attorneys of record as follows:

teamjefferies@googlegroups.com  
lane@akimlawfirm.com  
Lane D. Jefferies, Esquire  
Anastopoulo Law Firm, LLC  
32 Ann Street  
Charleston, SC 29403  
Attorney for the Appellant



Neicey Smith  
Legal Assistant to  
Linda Weeks Gangi, Esquire  
THOMPSON & HENRY, P.A.  
PO Box 1740  
Conway, SC 29528-1740  
[neicey@thompsonlaw.com](mailto:neicey@thompsonlaw.com)

**THOMPSON & HENRY, P.A.**  
ATTORNEYS AT LAW  
1300 SECOND AVENUE, THIRD FLOOR (29526)  
POST OFFICE BOX 1740  
CONWAY, SOUTH CAROLINA 29528

LINDA WEEKS GANGI  
[lgangi@thompsonlaw.com](mailto:lgangi@thompsonlaw.com)

TELEPHONE  
(843) 248-5741  
FAX  
(843) 248-5112

March 4, 2019

The Honorable Jenny Abbott Kitchings  
Clerk of Court  
South Carolina Court of Appeals  
1220 Senate Street  
Columbia, SC 29201

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SC Court of Appeals

RE: *Bobby Foster vs. Julian Neil Armstrong*  
Appellate Case No.: 2018-000706  
Civil Action No.: 2015-CP-26-5633  
Date of Loss: April 8, 2013  
Claim No.: 40-2K34-502  
SF Insured: Deloria G. Armstrong

Dear Ms. Kitchings:

Please find enclosed herewith the original Initial Brief of the Respondent and the original Designation of Matter to be Included in the Record on Appeal in regard to the above appeal together with a Certificate of Service for same. By copy of this letter, I am hereby serving opposing counsel with a copy of same.

With kindest personal regards, I remain

Yours very truly,

THOMPSON & HENRY, P.A.

  
Linda Weeks Gangi

LWG/ns

Enclosures

cc: Lane D. Jefferies, Esquire  
Jennifer Patterson  
SF 5612.06

# FIRST CLASS MAIL

THOMPSON & HENRY, P.A.  
ATTORNEYS AT LAW  
Post Office Box 1740  
CONWAY, SOUTH CAROLINA 29528



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