

THE STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

---

APPEAL FROM THE CHARLESTON COUNTY  
COURT OF COMMON PLEAS

Frank D. Addy, Jr., Circuit Court Judge

---

Case No. 2016-CP-10-3696

---

**RECEIVED**

MAY 16 2019

SC Court of Appeals

MARGARET CARR,

Respondent

v.

TW GRAHAM and COMPANY, LLC, Appellant.

---

**APPELLANT'S RESPONSE TO RESPONDENT'S MEMORANDUM  
IN OPPOSITION TO APPELLANT'S MOTION  
TO SUPPLEMENT ITS DESIGNATION OF  
MATTER AND RECORD ON APPEAL**

---

Appellant TW Graham and Company, LLC, through its undersigned attorneys responds to Respondent's Memorandum in Opposition to Appellant's Motion to supplement its Designation of Matter and Record on Appeal.

The Respondent contends that the Affidavit of Patrick Runey is not relevant to the Appellant's appeal. The Respondent ignored the fact that Mr. Runey's affidavit addressed the failure of the process server to make diligent attempts to serve the Summons and Complaint. Such fact is one of the essential arguments that the Appellant raised in its appeal.

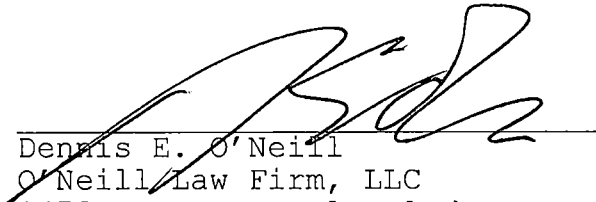
Further, Mr. Runey's affidavit was presented to the trial

judge and the Respondent's attorney at the motion hearing. The Respondent's attorney did not object to Mr. Runey's Affidavit on the ground that it was not relevant.

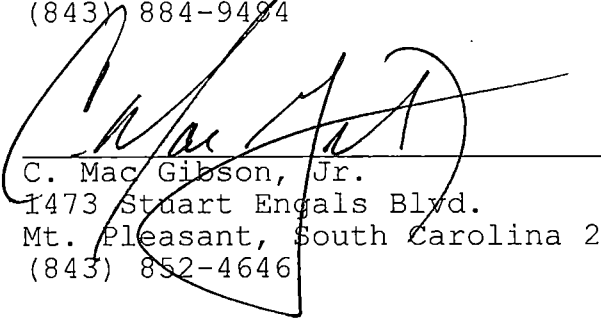
Additionally, the Appellant made numerous references to Mr. Runey's Affidavit in its Initial Brief in support of its arguments that the trial judge erred in holding that the lower court had personal jurisdiction and in affirming the default judgment. The Appellant filed its Initial Brief on October 12, 2018. The Respondent did not object to the designation of the Affidavit of Patrick Runey until the Appellant filed its Motion to Supplement its Designation of Matter and Record on Appeal on April 9, 2019, which was five months after the Appellant filed its Initial Brief.

Appellant through its attorneys requests for an Order to allow it to supplement its Designation of Matter and Record on Appeal to include the Affidavit of Patrick Runey.

May 13, 2019



\_\_\_\_\_  
Dennis E. O'Neill  
O'Neill Law Firm, LLC  
1473 Stuart Engals Blvd.  
Mt. Pleasant, South Carolina 29464  
(843) 884-9494



\_\_\_\_\_  
C. Mac Gibson, Jr.  
1473 Stuart Engals Blvd.  
Mt. Pleasant, South Carolina 29464  
(843) 852-4646

Attorneys for Appellant

THE STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

APPEAL FROM THE CHARLESTON COUNTY  
COURT OF COMMON PLEAS

Frank D. Addy, Jr., Circuit Court Judge

Case No. 2016-CP-10-3696

**RECEIVED**

MAY 16 2019

SC Court of Appeals

MARGARET CARR,

Respondent

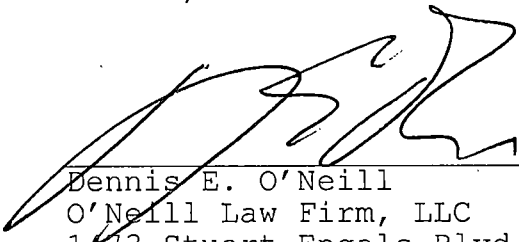
v.

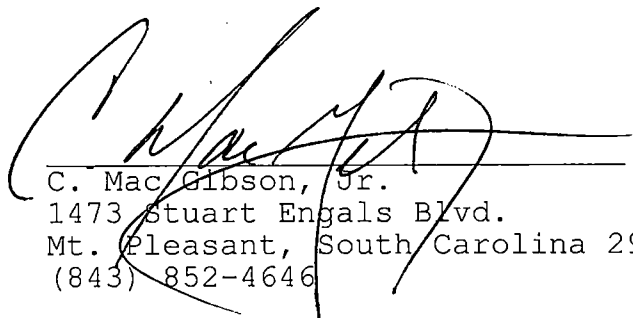
TW GRAHAM and COMPANY, LLC, Appellant.

**PROOF OF SERVICE**

We certify that we have served the Appellant TW Graham and Company, LLC's Response to Respondent's Memorandum in Opposition to Appellant's Motion to Supplement Appellant's Designation of Matter and Record on Appeal via the United States Mail, postage prepaid, on May 14, 2019, addressed to her attorneys of record, Jarrel L. Wigger and Brice E. Ricker, Wigger Law Firm, Inc., 8086 Rivers Ave, Ste. A, North Charleston, South Carolina 29406.

May 14, 2019

  
Dennis E. O'Neill  
O'Neill Law Firm, LLC  
1473 Stuart Engals Blvd.  
Mt. Pleasant, South Carolina 29464  
(843) 884-9494

A large, stylized handwritten signature in black ink, likely belonging to C. Mac Gibson, Jr., is written over a horizontal line. The signature is cursive and somewhat abstract, with a prominent loop at the top and a long, sweeping tail that extends to the right.

C. Mac Gibson, Jr.  
1473 Stuart Engals Blvd.  
Mt. Pleasant, South Carolina 29464  
(843) 852-4646

Attorneys for Appellant

**C. MAC GIBSON, JR.**  
**Attorney at Law**  
**1473 Stuart Engals Blvd.**  
**Mt. Pleasant, SC 29464**

Telephone: (843) 852-4646

[cmacgibson@yahoo.com](mailto:cmacgibson@yahoo.com)

May 14, 2019

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

**RECEIVED**  
MAY 16 2019  
SC Court of Appeals

Re: Margaret Carr v. TW Graham and Company, LLC  
Appellate Case No.: 2018-001738

Dear Mrs. Kitchings:

I have enclosed an original and seven (7) copies of the Appellant TW Graham and Company, LLC's Response to Respondent's Memorandum in Opposition to Appellant's Motion to Supplement Appellant's Designation of Matter and Record on Appeal along with the Proof of Service.

I would appreciate it if you would file the originals and six (6) copies of the Appellant TW Graham and Company, LLC's Response to Respondent's Memorandum in Opposition to Appellant's Motion to Supplement Appellant's Designation of Matter and Record on Appeal and stamp filed the remaining copies and return the filed copies to me in the enclosed stamped self addressed envelope.

If you have any questions concerning the enclosed documents, then please contact me.

With kind regards, I am

Sincerely,

  
C. Mac Gibson, Jr.

Enclosures (as stated)

cc: Client (w/ encls. via email)  
Jarrel L. Wigger, Esq. (w/ encls.)

C. Mac Gibson, Jr.  
Attorney at Law  
1473 Stuart Engals Blvd.  
Mt. Pleasant, SC 29464

The Honorable Jenny Abbott Kitchings  
Clerk of the South Carolina Court of Appeals  
Post Office Box 11629  
Columbia, South Carolina 29211

**RECEIVED**  
MAY 16 2019  
SC Court of Appeals