

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM CHARLESTON COUNTY
Court of Common Pleas

J. Mark Hayes, II, Circuit Court Judge

Appellate Case No. 2019-000076

CAROL MANIGAULT,

Appellant,

v.

MORRIS ELLISON, AS PERSONAL
REPRESENTATIVE OF THE
ESTATE OF ANDREW
MANIGAULT,

Respondent.

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JUL 19 2019
SC Court of Appeals

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

James D. Myrick, Esq.
Womble Bond Dickinson (US) LLP
5 Exchange Street
Charleston, SC 29401
Telephone: (843) 720-3400
Jim.Myrick@wbd-us.com
Attorneys for the Respondent

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

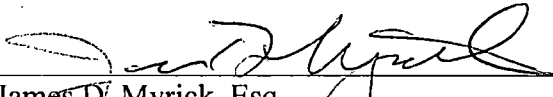
1. Statement of Creditor's Claim of Carol Manigault in the amount of \$212,577.00 for property located at 1288 Taft Road, Teaneck, NJ and filed on September 15, 2010 in the Charleston County Probate Court under Case No. 2010-ES-10-0413.
2. Statement of Creditor's Claim of Carol Manigault in the approximated amount of \$875,000.00 re: Equitable Distribution of property located at Beech Mountain, NC and Acreage located in Christ Church Parish, Charleston County, S.C. and filed on November 17, 2010 in the Charleston County Probate Court under Case No. 2010- ES-10 -0413.
3. Notice of Filing of Foreign Judgment, Declaration of Filing of Foreign Judgment, Attorney's Affidavit of Filing of Foreign Judgment and Certified Copy of New Jersey Final Judgment of Divorce re: payment of mortgage on Teaneck, NJ property (approx. \$212,577.00) and filed on November 17, 2010 in the Charleston County Probate Court under Case No. 2010-ES-10-0413.
4. Notice of Filing of Foreign Judgment, Declaration of Filing of Foreign Judgment, Attorney's Affidavit of Filing of Foreign Judgment and Certified Copy of New Jersey Final Judgment of Divorce re: Equitable Distribution of property (approx. \$875,000.00) and filed on November 17, 2010 in the Charleston County Probate Court under Case No. 2010-ES-10-0413.
5. Civil Action Cover Sheet, Notice of Filing of Foreign Judgment, Declaration of Filing of Foreign Judgment, Attorney's Affidavit of Filing of Foreign Judgment and Certified Copy of New Jersey Final Judgment of Divorce re: payment of mortgage on Teaneck, NJ property (approx. \$212,577.00) and filed on November 17, 2010 in the Charleston County Court of Common Pleas under Case No. 2010-CP-10-9512.
6. Notice of Filing of Foreign Judgment, Declaration of Filing of Foreign Judgment, Attorney's Affidavit of Filing of Foreign Judgment and Certified Copy of New Jersey Final Judgment of Divorce re: Equitable Distribution of property and filed on November 17, 2010 in the Charleston County Court of Common Pleas under Case No. 2010-CP-10-9512.
7. Motion for Relief from Foreign Judgment and Notice of Defenses to Foreign Judgment by Personal Representative filed on January 7, 2011 in the Charleston County Court of Common Pleas under Case No. 2010 -CP-10-9512.
8. Notice of Disallowance by the Personal Representative re: Carol Manigault's Creditor's Claim for \$212,577.00, filed on January 19, 2016 in the Charleston County Probate Court under Case No. 2010-ES-10-0413.

9. Notice of Disallowance by the Personal Representative re: Carol Manigault's Creditor's Claim for \$875,000.00 (est.) filed on January 19, 2016 in the Charleston County Probate Court under Case No. 2010-ES-10-0413.
10. Summons and Petition on behalf of Carol Manigault for Allowance of the Two Creditor's Claims filed on February 19, 2016 in the Charleston County Probate Court under Case No. 2010-ES-10-0413.
11. Personal Representative's Answer to Carol Manigault's Petition for Creditor Claim on behalf of Personal Representative filed on March 18, 2016 in the Charleston County Probate Court under Case No. 2010-ES-10-0413.
12. Motion for Summary Judgment on behalf of Personal Representative filed on November 18, 2016 in the Charleston County Probate Court under Case No. 2010- ES-10-0413.
13. Motion to Alter or Amend Judgment on behalf of Carol Manigault filed on April 24, 2017 in the Charleston County Probate Court under Case No. 2010-ES-10-0413.
14. Transcript of Charleston County Probate Court Hearing held on January 19, 2017 re: Personal Representative's Motion for Summary Judgment under Case No. 2010-ES-10 - 0413.
15. HUD-1 Settlement Statement dated March 17, 2005, filed September 15, 2010 (Exhibit A to Estate's Motion for Summary Judgment).
16. Chase Home Finance LLC Transaction History dated 06/10/2010 (Exhibit A to Estate's Motion for Summary Judgment).
17. Statement of Creditor's Claim Proof of Delivery dated September 15, 2010 (Exhibit A to Estate's Motion for Summary Judgment).
18. Estate's January 19, 2016 correspondence serving Notice of Disallowance of Claim on Carol Manigault (Exhibit B to Estate's Motion for Summary Judgment).
19. Estate's January 19, 2016 Proof of Delivery (re: Estate's Notice of Disallowance of Claim) (Exhibit B to Estate's Motion for Summary Judgment).
20. Federal Express Delivery Confirmation (Exhibit B to Estate's Motion for Summary Judgment).
21. Copy of Handwritten Envelope (Exhibit C to Estate's Motion for Summary Judgment).
22. Last Will and Testament of Andrew Manigault dated January 21, 2007.

23. Final Judgment of Divorce (Carol Manigault v. Andrew Manigault), Superior Court of New Jersey dated October 3, 2002.
24. Personal Representative's Fed Ex delivery confirmation of Personal Representative's Notice of Disallowance of Claim being received by Receptionist/Front Desk at Carol Manigault's attorney's office (Karen DeJong) on 1/20/2016.
25. Personal Representative's Fed Ex delivery confirmation of Personal Representative's Notice of Disallowance of Claim being received by Carol Manigault on 1/25/2016.

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

Respectfully submitted,



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Attorneys for the Respondent

July 18, 2019

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM CHARLESTON COUNTY
Court of Common Pleas

J. Mark Hayes, II, Circuit Court Judge

Appellate Case No. 2019-000076

CAROL MANIGAULT,

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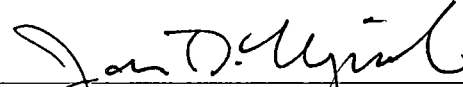
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PROOF OF SERVICE

I certify that I have served the Respondent's Designation of Matter to be Included in the Record on Appeal on Counsel for the Appellant by placing (1) copy for delivery via Federal Express Overnight Delivery, prepaid, on July 18, 2019, address to Counsel for the Appellant, Karen DeJong, Esq., DEJONG LAW FIRM, LLC, 222 West Coleman Blvd., Ste. 110, Mt. Pleasant, SC 29464.

Respectfully submitted,



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Attorneys for the Respondent

July 18, 20109



July 18, 2019

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

Via Federal Express, Overnight Delivery

Re: In re: Estate of Andrew Manigault
*Carol Manigault, Appellant v. Morris Ellison, Esq. as PR
of the Estate of Andrew Manigault, Respondent*
S.C. Court of Appeals Case No.: 2019-000076
Charleston CP Case No.: 17-CP-10-3110 (on Appeal
from Charleston Probate Court Case No.: 10-ES-10-413)
Our File Number: 70387.0033.7

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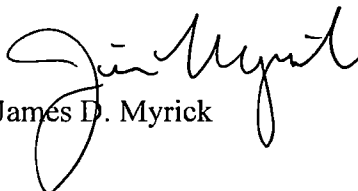
Dear Ms. Kitchings:

Please find enclosed an original plus two (2) copies of the Initial Brief of Respondent with Proof of Service and Respondent's Designation of Matter to be included in the Record on Appeal with Proof of Service. Please return the file stamped stamped copies to my office via the enclosed self-addressed, stamped envelope.

Thanking you for your assistance with this matter, I am

Sincerely,

Womble Bond Dickinson (US) LLP


James D. Myrick

JDM/def

Enclosures

cc: Karen M. DeJong, Esq.

ORIGIN ID:REWA (843) 722-3400
DEBBIE FISHER
WOMBLE BOND DICKINSON (US) LLP
5 EXCHANGE STREET

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CHARLESTON, SC 29401
UNITED STATES US

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TO **CLERK OF COURT
SC COURT OF APPEALS
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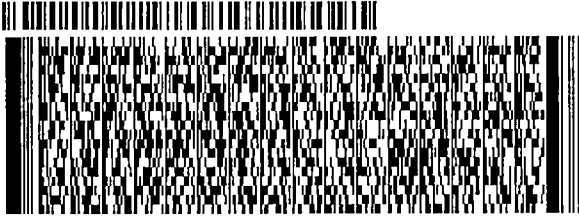
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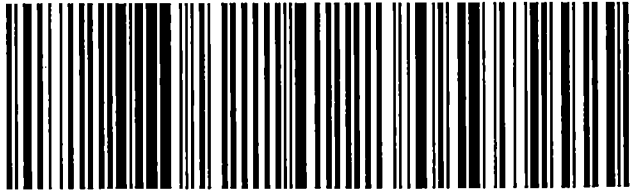
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2. Place the label in a waybill pouch and affix it to your shipment so that the barcode portion of the label can be read and scanned.
3. Keep the second page as a receipt for your records. The receipt contains the terms and conditions of shipping and information useful for tracking your package.

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