

THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

APPEAL FROM SALUDA COUNTY  
In The Circuit Court

The Honorable Alison Renee Lee, Circuit Court Judge  
The Honorable Jocelyn Newman, Circuit Court Judge

**RECEIVED**

JAN 09 2020

SC Court of Appeals

C.A. No.: 2019-001279

Amy Potts.....Respondent.

v.

McCarty Enterprises, LLC, John Miles McCarty, Audrey S. McCarty, a/k/a Audrey  
J. McCarty and Jane Doe .....Appellants.

**DESIGNATION OF MATTERS**

Appellants designate the following items for inclusion in the Record on Appeal:

- 1) Complaint;
- 2) Amended Complaint;
- 3) Answer;
- 4) June 24, 2015 Affidavit of Service;
- 5) 1<sup>st</sup> Motion to Dismiss;
- 6) April 28, 2016, Hearing Transcript, pp. 6, 8, 11, 16, 23;
- 7) Order of the Honorable Judge Keesley, May 10, 2016 and envelope;
- 8) May 25, 2016 Affidavit of Service;
- 9) Amended Motion to Dismiss dated May 25, 2016;
- 10) Affidavit of Candy M. Kern-Fuller, Esq. in Opposition to Default;
- 11) Affidavit of Frank Potts, Esq. dated June 23, 2016;
- 12) September 7, 2016 Hearing Transcript, pp. 2-12, 16-20, 22-24, 40;
- 13) Appellants' Memorandum in Opposition to Motion to Strike and for Default dated September 7, 2016;
- 14) Appellants' Motion for Reconsideration and all exhibits;
- 15) Order of the Honorable Judge J. Newman denying reconsideration, dated December 29, 2016;
- 16) Unpublished Opinion 2019-UP-061 of the S.C. Court of Appeals, dated February 6, 2019;

- 17) April 5, 2019 Hearing Transcript, pp. 18-19, 20, 22, 24-27, 29-30, 34-35, 37, 40; 48-58, 60, 63, 65-67, 69, 71, 73, 75, 92-93, 97-99, 101-102, 106, 108-109, 111, 114-116, 119, 123, 126-129, 132;
- 18) Order of the Honorable Judge Alison Renee Lee dated July 1, 2019; and
- 19) Notice of Appeal.

**IN ACCORDANCE WITH THE SOUTH CAROLINA RULES OF APPELLATE PROCEDURE, COUNSEL FOR APPELLANT AFFIRMS THAT THESE DESIGNATIONS ONLY CONTAIN NECESSARY MATERIALS.**



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Candy M. Kern-Fuller (S.C. Bar No. 11392)

**Upstate Law Group, LLC**

POB 238

Anderson, SC 29622

864-226-8938

Candy@UpstateLawGroup.com

January 2, 2020

**ATTORNEY FOR APPELLANTS**

THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

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APPEAL FROM SALUDA COUNTY  
In The Circuit Court

The Honorable Alison Renee Lee, Circuit Court Judge  
The Honorable Jocelyn Newman, Circuit Court Judge

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SC Court of Appeals

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C.A. No.: 2015CP4100139

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Amy Potts.....Respondent.

v.

McCarty Enterprises, LLC, John Miles McCarty, Audrey S. McCarty, a/k/a Audrey J.  
McCarty and Jane Doe .....Appellants.

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**PROOF OF SERVICE**

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On this January 2, 2020, the undersigned certifies she filed a copy of the Appellants' Initial Brief and Designation of Matters by United States Certified Mail addressed to:

The Honorable Jenny Abbott Kitchings, Clerk  
**South Carolina Court of Appeals**  
P.O. Box 11629  
Columbia, SC 29211

And by serving the Respondent with the same through her counsel by U.S. Certified Mail addressed as follows:

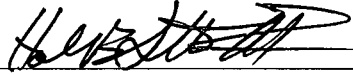
Mr. Frank S. Potts, Esq.  
137 Stone Ridge Rd  
Leesville, SC 29070-7295

Mr. M. Evan Lacke, Esq.  
**Lacke Law Firm, LLC**  
147 Wappoo Creek Dr., Ste. 204  
Charleston, SC 29412



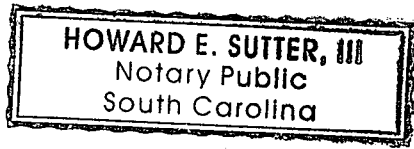
Candy M. Kern-Fuller, Esq.

SWORN TO BEFORE ME  
This January 2, 2020



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Notary Public for South Carolina  
My commission expires: 5-8-27





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