

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

APPEAL FROM ALLENDALE COUNTY  
Court of Common Pleas

The Honorable Lawton McIntosh  
\_\_\_\_\_

Appellate Case No. 2019-000905  
\_\_\_\_\_

**RECEIVED**  
MAR 09 2020  
SC Court of Appeals

J. Morgan Kears, Personal Representative of the Estate of G.H. Kears, ..... Appellant,

v.

The Kears Family Education Trust, William Gordon Kears,  
Elizabeth Kears Gooding, Julia Kears Sharp, Rachael Kears  
Best, Joseph Weber Kears, and John Morgan Kears, of which  
all are named individually and as Trustees of the Kears Family  
Education Trust U/A/D Nov. 05, 1992..... Respondents.

\_\_\_\_\_  
**RESPONDENT JULIA KEARSE SHARP'S  
DESIGNATION OF MATTER TO BE INCLUDED  
IN THE RECORD ON APPEAL**  
\_\_\_\_\_

Daniel A. Speights  
SPEIGHTS & SOLOMONS, LLC  
100 Oak Street, East  
Post Office Box 685  
Hampton, SC 29924  
(803)943-4444

Attorney for Respondent, Julia  
Kears Sharp

Respondent Julia Kearse Sharp proposes the following to be included in the Record on Appeal:

1. 05/11/05 Deed from Jacqueline W. Kearse to Julia Ann K. Sharp (Allendale County Register of Deeds)
2. 10/23/13 Fiduciary Letters appointing J. Morgan Kearse as Personal Representative (Allendale County Probate Court)
3. 09/07/16 Deposition of J. Morgan Kearse (Hampton County Probate Court)
4. 02/23/17 Letter from Daniel A. Speights to Judge Sheila Odom with enclosed proposed Order (Hampton County Probate Court)
5. 08/20/18 RECORD ON APPEAL IN CIRCUIT COURT (Allendale County Circuit Court)
6. 08/28/17 Letter from Daniel A. Speights to Judge Sheila Odom with enclosed proposed Order (Hampton County Probate Court)
7. 12/01/17 Brief of Appellant, filed in Circuit Court
8. 07/19/18 Brief of Joint Respondents Julia Sharp Kearse and Elizabeth Kearse Gooding, filed in Circuit Court
9. 08/08/18 Appellant's Reply Brief
10. 10/08/18 Hearing Transcript
11. 10/29/18 Form 4 Order of the Honorable Lawton McIntosh
12. 11/08/18 Appellant's Motion to Alter or Amend and, if Necessary, for Ratification, Joinder or Substitution of a Real Party in Interest
13. 11/28/18 Letter from Blake A. Hewitt to Judge McIntosh enclosing Affidavit of Elizabeth K. Gooding with exhibits (Ruff docs) (filed 11-28-18)
14. 12/13/18 Order of the Honorable Lawton McIntosh
15. 12/27/18 Appellants' Motion to Alter or Amend and, if Necessary, for Ratification, Joinder or Substitution of a Real Party in Interest, including all exhibits (Affidavit of Ruff and forms)
16. 04/04/19 Hearing Transcript

- 17. 04/08/19 Form 4 Order of the Honorable Lawton McIntosh
  - 18. 05/14/19 Order of the Honorable Lawton McIntosh
  - 19. 05/29/19 Appellants' Notice of Appeal to SC Court of Appeals
- All other documents, if any, filed of record in this matter.

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**CERTIFICATION BY COUNSEL**

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I, the undersigned counsel, do hereby certify that this designation contains no matter which is irrelevant to this appeal.

Respectfully submitted,



Daniel A. Speights  
SPEIGHTS & SOLOMONS, LLC  
100 Oak Street, East  
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Attorney for Respondent, Julia  
Kearse Sharp

March 4, 2020

Hampton, South Carolina

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J. Morgan Kears, Personal Representative of the Estate of G.H. Kears.....Appellant,

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all are named individually and as Trustees of the Kears Family  
Education Trust U/A/D Nov. 05, 1992 ..... Respondents.

PROOF OF SERVICE

The undersigned certifies that a copy of Brief of Respondent, Julia Kears Sharp, and Respondent, Julia Kears Sharp's Designation of Matter has been served upon the counsel and *pro se* parties listed below by mailing a copy of the same, postage prepaid, in the United States Mail, addressed as shown below on this 4<sup>th</sup> day of March, 2020.

Kenneth B. Wingate  
Matthew J. Myers  
SWEENY, WINGATE & BARROW, P.A.  
P.O. Box 12129  
Columbia, SC 29211

Kathleen C. Barnes  
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P.O. Box 897  
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Stephen M. Slotchiver  
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Charleston, SC 29464


William Gordon Kears  
P.O. Box 221  
Fairfax, SC 29827

Rachael Kears Best  
5055 Lakeshore Drive  
Columbia, SC 29206

John Morgan Kears  
P.O. Box 521  
Allendale, SC 29810

Dated: March 4, 2020

Joseph Weber Kears  
6620 Merrill Road  
Columbia, SC 29209



By: \_\_\_\_\_

Daniel A. Speights  
SPEIGHTS & SOLOMONS, LLC  
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*Attorney for Respondent, Julia  
Kears Sharp*

**SPEIGHTS & RUNYAN**

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March 4, 2020

**Via U.S. Mail**

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

RECEIVED

MAR 09 2020

SC Court of Appeals

Re: J. Morgan Kearse, Personal Representative of the Estate of G.H. Kearse v. The Kearse Family Education Trust, et al., Appellate Case No. 2019-000905

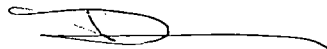
Dear Ms. Kitchings:

Enclosed for filing please find original and one copy of Brief of Respondent, Julia Kearse Sharp; and Respondent Julia Kearse Sharp's Designation of Matter to Be Included in the Record on Appeal, in the above-referenced case, together with Proof of Service.

By copy of this letter, I am serving counsel of record and *pro se* parties with a copy of the same.

Please accept my kind regards.

Sincerely yours,



Daniel A. Speights

DAS/rb

Enclosure

cc Kenneth B. Wingate  
Matthew J. Myers  
Kathleen C. Barnes  
Stephen M. Slotchiver  
William Gordon Kearse  
Rachael Kearse Best  
Joseph Weber Kearse  
John Morgan Kearse

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SC Court of Appeals

**FIRST CLASS MAIL**

Speights & Solomons, LLC Attorneys At Law 100 Oak Street East, P.O. Box 685 Hampton, South Carolina 29924
TO The Honorable Jenny Abbott Kitchings Clerk, South Carolina Court of Appeals Post Office Box 11629 Columbia, South Carolina 29211

