

THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

RECEIVED

Aug 18 2020

SC Court of Appeals

APPEAL FROM KERSHAW COUNTY
Court of Common Pleas

The Honorable Jean Hoefer Toal, Acting Circuit Court Judge

Appellate Case No. 2019-001632

In the matter of:
Lemuel Whitaker Boykin, II, deceased.

Rigdon H. Boykin, as sole disinterested Co-Trustee of the Lemuel
Whitaker Boykin, II Residuary Trusts A and B,.....Appellant-Respondent

v.

Mary Deas Wortley, individually, as Co-Trustee of the Lemuel
Whitaker Boykin, II Residuary Trusts A and B, Co-Trustee of the
Lemuel Whitaker Boykin Marital Deduction Trusts A and B, and as
Co-Personal Representative of the Estate of Alice S. Boykin; Alice
B. Belger, individually, as Co-Trustee of the Lemuel Whitaker
Boykin, II Residuary Trusts A and B, and as Co-Personal
Representative of the Estate of Alice S. Boykin; Lemuel Whitaker
Boykin, III; and May Cantey Boykin,

Of whom Mary Deas Wortley and Alice B. Belger are Respondent-Appellants

And

Lemuel Whitaker Boykin, III, and May Cantey Boykin are..... Respondents.

**APPELLANT-RESPONDENT’S COUNTER DESIGNATION OF
MATTER TO BE INCLUDED IN THE RECORD ON APPEAL**

Pursuant to Rule 209 of the South Carolina Rules of Appellate Procedure, Appellant-
Respondent proposes the following counter designation of matter to be included in the Record on

Appeal, in addition to any matter designated by Respondent-Appellants.

1. Respondents Wortley and Belger's Proposed Final Order filed January 17, 2019;
2. Respondents Wortley and Belger's Replies in Support of Their Motion to Alter or Amend dated June 18, 2019;
3. Deposition Transcript of Alice Belger dated February 26, 2018;
4. Deposition Transcript of Mary Deas Wortley dated March 15, 2018;
5. Notice of Appeal dated September 25, 2019;
6. All matter included in Appellant-Respondent's Amended Designation of Matter to be Included in the Record on Appeal dated June 19, 2020.

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

August 18, 2020
Greenville, SC

Respectfully submitted,

s/Wallace K. Lightsey

Wallace K. Lightsey (SC Bar No. 6476)

Wade S. Kolb, III (SC Bar No. 100379)

Wyche P.A.

Post Office Box 728

Greenville, SC 29602-0728

(864) 242-8200

wlightsey@wyche.com

wkolb@wyche.com

Attorneys for Appellant-Respondent Rigdon H. Boykin

THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

RECEIVED

Aug 18 2020

SC Court of Appeals

APPEAL FROM KERSHAW COUNTY
Court of Common Pleas

The Honorable Jean Hoefer Toal, Acting Circuit Court Judge

Appellate Case No. 2019-001632

In the matter of:
Lemuel Whitaker Boykin, II, deceased.

Rigdon H. Boykin, as sole disinterested Co-Trustee of the Lemuel
Whitaker Boykin, II Residuary Trusts A and B,.....Appellant-Respondent

v.

Mary Deas Wortley, individually, as Co-Trustee of the Lemuel
Whitaker Boykin, II Residuary Trusts A and B, Co-Trustee of the
Lemuel Whitaker Boykin Marital Deduction Trusts A and B, and as
Co-Personal Representative of the Estate of Alice S. Boykin; Alice
B. Belger, individually, as Co-Trustee of the Lemuel Whitaker
Boykin, II Residuary Trusts A and B, and as Co-Personal
Representative of the Estate of Alice S. Boykin; Lemuel Whitaker
Boykin, III; and May Cantey Boykin,

Of whom Mary Deas Wortley and Alice B. Belger are Respondent-Appellants

And

Lemuel Whitaker Boykin, III, and May Cantey Boykin are..... Respondents.

PROOF OF SERVICE

This is to certify that I have this date caused to be served a true and correct copy of the
foregoing *Appellant-Respondent's Counter Designation of Matter to be Included in the Record*

on Appeal and *Proof of Service* on counsel in this action by causing the same to be deposited in the United States mail, first class postage affixed, addressed as follows:

James Y. Becker
Robert L. Reibold
Mary C. Eldridge
HAYNSWORTH SINKLER BOYD, P.A.
1201 Main Street, Suite 2200
PO Box 11889 (29211-1889)
Columbia, South Carolina 29201

William S. Tetterton
P.O. Box 530
Camden, South Carolina 29021

This 18th day of August, 2020.

s/Wallace K. Lightsey

Wallace K. Lightsey (SC Bar No. 6476)

Wade S. Kolb, III (SC Bar No. 100379)

Wyche P.A.

Post Office Box 728

Greenville, SC 29602-0728

(864) 242-8200

wlightsey@wyche.com

wkolb@wyche.com

Attorneys for Appellant-Respondent Rigdon H. Boykin

W Y C H E

Attorneys at Law

August 18, 2020

BY EMAIL

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

RECEIVED

Aug 18 2020

SC Court of Appeals

Re: *Rigdon H. Boykin, as sole disinterested Co-Trustee of the Lemuel Whitaker Boykin, II Residuary Trusts A and B v. Mary Deas Wortley, individually, as Co-Trustee of the Lemuel Whitaker Boykin, II Residuary Trusts A and B, Co-Trustee of the Lemuel Whitaker Boykin Marital Deduction Trusts A and B, and as Co-Personal Representative of the Estate of Alice S. Boykin; Alice B. Belger, individually, as Co-Trustee of the Lemuel Whitaker Boykin, II Residuary Trusts A and B, and as Co-Personal Representative of the Estate of Alice S. Boykin; Lemuel Whitaker Boykin, III; and May Cantey Boykin*
Appellate Case No. 2019-001632

Dear Ms. Kitchings:

Enclosed please find for filing with the Court, a copy of the Response Brief of Appellant-Respondent and Counter Designation of Matter to be Included in the Record on Appeal, along with Proof of Service for the same.

By copy of this letter, we are serving the Response Brief of Appellant-Respondent and Counter Designation of Matter to be Included in the Record on Appeal on all parties to this appeal.

If you have any questions, please do not hesitate to contact our office.

With highest regards,

s/Wallace K. Lightsey
Wallace K. Lightsey
wlightsey@wyche.com
(864) 242-8200

Enclosures

cc: James Y. Becker, Esq. – *via US Mail*
Robert L. Reibold, Esq. – *via US Mail*
Mary C. Eldridge, Esq. – *via US Mail*
William S. Tetterton, Esq. – *via US Mail*