

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM CHARLESTON COUNTY
Court of Common Pleas

The Honorable Jennifer B. McCoy

Case No.: 2007-CP-10-01444

RECEIVED

Aug 31 2020

SC Court of Appeals

Cynthia Holmes, M.D.Respondent,

v.

Haynsworth Sinkler Boyd, P.A.¹Appellant.

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

Pursuant to Rule 209, SCACR, Appellant, Haynsworth Sinkler Boyd, P.A., designates the following materials for inclusion in the record on appeal in connection with its initial brief:

<u>ORDERS</u>	<u>DATED/FILED</u>
SC State Court Order on Post Trial Motions	November 18, 2009
Supreme Court Remittitur	August 7, 2014
SC State Court Rule to Show Cause in Supplemental Proceedings and Order of Reference	January 18, 2017
SC State Court Order dismissing all orders filed by Holmes	February 9, 2017
SC State Court Supplemental Proceedings Order	March 14, 2017
SC State Court Supplemental Proceedings Order	June 21, 2017
SC State Court Order Granting Defendant's Motion to Compel & For Sanctions	June 23, 2017
Court of Appeals Order of Dismissal	September 25, 2017
SC State Court Order Granting Defendants'	September 29, 2017

¹ The caption in the original case included Sinkler & Boyd, P.A., Manton Grier, and James Y. Becker as parties, but Haynsworth Sinkler Boyd, P.A., as successor to Sinkler & Boyd, P.A. is the only party appealing to this Court.

Motion to Dismiss Certain Parties	
Supreme Court Order denying writ of certiorari	November 15, 2017
Court of Appeals Order of dismissal	November 30, 2017
Court of Appeals Order of dismissal	March 29, 2018
US District Court's Order denying Holmes' motion to reconsider and adopting Report and Recommendation of Magistrate Judge	March 29, 2018
US District Court Order Denying Motion to Strike, Motion to Stay.	June 13, 2018
Court of Appeals Order granting motion to dismiss	June 27, 2018
Court of Appeals Order denying rehearing	October 16, 2018
Report and Recommendation of Magistrate Judge	October 31, 2018
US District Court Order denying Plaintiff's Motion to Stay	December 11, 2018
Supreme Court Order dismissing Holmes' Motion to determine if motions were properly rejected	February 22, 2019
Supreme Court Order denying petition for writ of certiorari	April 22, 2019
US Court of Appeals for 4 th Circuit Order denying petition for rehearing	May 14, 2019
SC State Court Order Denying Filing	May 24, 2019
US District Court Order denying Holmes' motion to reconsider	May 23, 2019
US Bankruptcy Court Order denying Holmes' motion to dismiss debt of Haynsworth Sinkler Boyd, P.A.	January 7, 2020
US Court of Appeals for 4 th Circuit Order denying Holmes' Motion to Reconsider	February 24, 2020
US District Court Order denying Holmes' appeal from Bankruptcy Court	February 25, 2020
SC Court of Appeals granting Respondents' Motion to Dismiss	March 20, 2020
Bankruptcy Court Order Discharging Holmes	May 12, 2020
Supreme Court Order denying writ of certiorari	May 22, 2020
SC State Court Order Denying Relief Sought by Defendant HSB	June 11, 2020
SC State Court Order denying Defendant's motion to reconsider	June 26, 2020

PLEADINGS

DATED/FILED

Holmes' Motion to Reconsider Pursuant to Rule 59(e)	November 25, 2009
Holmes' Notice of Appeal	December 1, 2009
Holmes' Amended Notice of Appeal	April 5, 2010
Holmes' Motion Pursuant to Rule 59e, SCRCF	July 17, 2012
Holmes' Rule 60, SCRCF, Motion	August 5, 2015
Holmes' Motion to Dismiss	December 30, 2016

Holmes' Motion for Sanctions	January 12, 2017
Holmes' Rule 59(e), SCRCP, Motion	January 25, 2017
Holmes' Motion for Sanctions	January 26, 2017
Holmes' Rule 59(e), SCRCP, Motion	February 1, 2017
Defendants' Memorandum in Opposition to Plaintiff's Motion to Quash Discovery	March 6, 2017
Holmes' Amended Notice of Appeal (App. Case No: 2017-000266)	April 10, 2017
Defendants' Motion for Contempt and Sanctions	June 5, 2017
Holmes' Notice of Appeal	July 1, 2017
Holmes' Amended Notice of Appeal (App. Case No: 2017-001460)	July 29, 2017
Holmes' Amended Notice of Appeal (App. Case No: 2017-001717)	November 6, 2017
Holmes' Complaint filed in US District Court	February 20, 2018
Holmes' Amended Complaint filed in US District Court	June 18, 2018
Haynsworth Sinkler Boyd, P.A.'s Motion to Dismiss US District Court action	July 11, 2018
Holmes' Motion for Reconsideration of US District Court' Order denying motion to stay	December 27, 2018
Caskey's emails with Charleston County Master-In-Equity's Office regarding scheduling hearing	January 30, 2019
Caskey's emails with Charleston County Master-In-Equity's Office regarding proceeding with April hearing	March 14, 2019
Defendants' Notice of Hearing for April 8, 2019	March 18, 2019
Holmes' Chapter 7 Petition	March 22, 2019
Holmes' Motion to Disqualify in Bankruptcy Court	April 15, 2019
Holmes' Notice of Appeal (App. Case No: 2017-000266)	May 9, 2019
Haynsworth Sinkler Boyd, P.A.'s Proof of Claim filed in Bankruptcy Court	June 20, 2019
Haynsworth Sinkler Boyd, P.A.'s Emergency Motion for Expedited Order of Execution and Sale of Property and Issuing Notice of Sale	May 14, 2020
Affidavit of Mary M. Caskey	May 14, 2020
Caskey's emails with Charleston County Master-In-Equity's Office regarding June 11, 2020 sale	May 15, 2020
Caskey's emails with Charleston County Master-In-Equity's Office regarding Judge McCoy hearing Defendants' Motion for Execution	May 21, 2020
Haynsworth Sinkler Boyd, P.A.'s Motion to Reconsider Motion Order Denying Relief Sought by Haynsworth Sinkler Boyd, P.A.	June 22, 2020

Respectfully submitted

/s/C. Elizabeth Weston

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C. Elizabeth Weston (S.C. Bar No: 103305)
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PROOF OF SERVICE

I certify that the **Initial Brief of Appellant Haynsworth Sinkler Boyd, P.A.’s and the Designation of Matter** was served upon the Respondent’s attorney of record by electronic mail only, on this 31st day of August, 2020, sent to Chalmers C. Johnson, Esquire at chalmersjohnson@gmail.com.



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¹ The caption in the original case included Sinkler & Boyd, P.A., Manton Grier, and James Y. Becker as parties, but Haynsworth Sinkler Boyd, P.A., as successor to Sinkler & Boyd, P.A. is the only party appealing to this Court.

**HAYNSWORTH
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August 31, 2020

via email: ctappfilings@sccourts.org

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

RE: *Cynthia Holmes, M.D. v. Haynsworth Sinkler Boyd, PA*
Case No. 2007-CP-10-1444
Appellate Case No. 2020-000968
HSB File No. 04625.1439

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SC Court of Appeals

Dear Ms. Kitchings:

Enclosed for filing is Appellant Haynsworth Sinkler Boyd, P.A.'s Initial Brief of Appellant Haynsworth Sinkler Boyd, P.A.'s, Designation of Matter to be Included in Record on Appeal, and the Proof of Service on counsel for Cynthia Holmes, M.D.

Please contact me at 803-779-3080 if you have any questions or need anything further from me at this time.

Thank you for your assistance in this matter.

Sincerely,



C. Elizabeth Weston

CEW/hh

Enclosures

cc(w/encl.): Chalmers Johnson, Esq. (via e-mail: chalmbersjohnson@gmail.com)
Mary M. Caskey, Esq. (via e-mail: mcaskey@hsblawfirm.com)