

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM CHARLESTON COUNTY
Court of Common Pleas

The Honorable Bentley D. Price

Appellate Case No. 2020-01104
Trial Court Case No. 2018-CP-10-04284

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Oct 12 2020

SC Court of Appeals

BONITA STEED and BERNARD STEED,

Respondents,

v.

ANTOINE HEYWARD, RUBY HEYWARD
And also all other persons unknown, claiming
Any right, title, estate, interest in or lien upon
The real estate described in the amended
Complaint herein,

Appellants.

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

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

1. Plaintiffs/Respondents' Complaint filed August 29, 2018
2. Defendant/Appellant's Antoine Heyward's Answer/Counterclaim/
Crossclaim filed October 4, 2018
3. Plaintiffs' Amended Complaint filed October 5, 2018
4. Defendant Antoine Heyward's Amended

Answer/Counterclaim/Crossclaim filed October 10, 2018

5. Plaintiffs' Answer to Counterclaim of Defendant Antoine Heyward filed on November 16, 2018.
6. Defendant Ruby Heyward's Answer/Counterclaim/Crossclaim filed on February 14, 2019.
7. Plaintiffs' Answer to Counterclaim of Defendant Ruby Heyward filed on February 22, 2019.
8. Plaintiffs' Motion to Compel Attendance at Depositions and For Sanctions For Failure to Attend Noticed Depositions filed on May 21, 2019.
9. Alice F. Paylor's Affidavit in Support of Plaintiffs' Motion to Compel Attendance at Depositions and For Sanctions For Failure to Attend Noticed Depositions filed on May 21, 2019.
10. Affidavit of Defendant Antoine Heyward in Opposition to Plaintiffs' Motion to Compel Attendance at Depositions filed on August 12, 2019.
11. Order Granting Motion to Compel and Sanctions filed on September 13, 2019.
12. Deposition Transcript of Defendant Antoine Heyward dated November 14, 2019.
13. Letter to Court wherein Defendant Antoine Heyward consented to being appointed Conservator of Defendant Ruby Heyward, with Letter notifying the Court that Plaintiffs' counsel was neutral on this

appointment, filed on November 20, 2019.

14. Plaintiffs' Motion for Sanctions regarding appointment of a Conservator for Defendant Ruby Heyward and to compel mediation as to Defendant Antoine Heyward filed on January 10, 2020.
15. Plaintiffs' Motion to Amend Complaint filed on March 10, 2020, with Exhibit A- Second Amended Complaint
16. Plaintiffs' Motion for Summary Judgment filed on April 23, 2020.
17. Affidavit of Robert Steed filed on April 23, 2020 in support of Plaintiffs' Motion for Summary Judgment.
18. Affidavit of Ernest Steed filed on April 23, 2020 in support of Plaintiffs' Motion for Summary Judgment.
19. Affidavit of Plaintiff Bernard Steed filed on April 23, 2020 in support of Plaintiffs' Motion for Summary Judgment.
20. Affidavit of Plaintiff Bonita Steed filed on April 23, 2020 in support of Plaintiffs' Motion for Summary Judgment.
21. Defendants' Opposition to Plaintiff's Motion for Summary Judgment with Memorandum in Support filed on May 21, 2020 with:
 - Exhibit A- Deed from P.A. Foster & J.M. Graham to Louise Brown Heyward dated 7/27/1960 and recorded in the Charleston County RMC Office on 8/6/1960 in Book A72, Page 175.
 - Exhibit B-Deed from Louise Brown Heyward to Robert James Heyward dated 1/11/1999 and recorded in the Charleston County RMC Office on 1/13/1999 in Book H318, P. 831.
 - Exhibit C-Deed of Distribution from Estate of Robert Heyward to Ruby Heyward and Antoine Heyward dated 4/1/2016 and recorded in the Charleston County RMC Office on 5/27/2016 in Book 0556, Page 830.

Exhibit D- Deposition Transcript of Antoine Heyward dated 11/14/2019 wherein Appellant Antoine Heyward gave sworn testimony regarding timeline of ownership and his father, Robert Heyward's, frequent occupation of property during the years that Respondents were claiming adverse possession

Exhibit E- Deposition Transcript of Antoine Heyward dated 11/14/2019 wherein Appellant Antoine Heyward gave sworn testimony regarding Appellant Antoine Heyward's occupation of property during the years that Respondents claimed he had not been on property except for father's funeral

Exhibit F- Deposition Transcript of Antoine Heyward dated 11/14/2019 wherein Appellant Antoine Heyward gave sworn testimony that he owned property after his father and that he asked Respondent Bonita Steed for rent.

22. Plaintiffs' Reply in Support of their Motion for Summary Judgment filed on May 28, 2020.
23. Hon. Bentley D. Price's Form 4 Order Granting Plaintiff Steed's Motion for Sanctions; granting Plaintiff's Motion for Summary Judgment; and denying Plaintiff's Motion to Amend Complaint filed on July 1, 2020.
24. Emails dated July 8, 2020 between Court and Respondents' counsel with proposed Order Granting Summary Judgment
25. Court's Order Granting Summary Judgment to Plaintiffs signed by Hon. Bentley D. Price and filed on July 13, 2020.
26. Emails dated July 24, 2020, between Plaintiffs' counsel and Defendants' counsel re: Judge McCoy telephone conference and parties' agreement to hold Plaintiffs' Motion for Sanction in abeyance until after Plaintiff's Motion for Summary Judgment was decided

27. Defendants' Notice of Appeal filed August 10, 2020.
28. Letter to Lower Court re: Notice of Appeal filed August 10, 2020

I CERTIFY THAT THIS DESIGNATION OF MATTER TO BE INCLUDED IN THE RECORD ON APPEAL CONTAINS NO MATTER WHICH IS IRRELEVANT TO THIS APPEAL.

Dated: October 12, 2020

s/Karen M. DeJong
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