

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM MARLBORO COUNTY
The Hon. Paul M. Burch, Circuit Court Judge

RECEIVED
Oct 16 2020
SC Court of Appeals

Appellate Case No.: 2020-00989

Daisy Frederick,.....Respondent,

v.

Daniel Lee McDowell,.....Appellant.

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

Pursuant to Rule 209, SCACR, the Appellant designates the following materials to be included in the Record on Appeal with regard to the Initial Appellant's Brief:

1. Summons and Complaint;
2. Answer;
3. Trial Transcript: pages 35-36, 72-78, 85-95, 100-106, 129-142, 160-185, 195, 220-226, 257 and 287-294;
4. Deposition Transcript of Dr. Stephen Sims;
5. Deposition Transcript of Ken Richardson: pages 9-18, 28-29 and 40;
6. Affidavit of David Sligh;
7. Defendant's Post-Trial Motions;
8. Supplemental Brief in Support of Defendant's Post-Trial Motions;

9. Transcript of Hearing re: Post-Trial Motions: pages 1-10 and 15-16;
10. Order Denying Post-Trial Motions;
11. Defendant's Rule 59(e) Motion;
12. Amended Order Denying Post-Trial Motions.

The undersigned, an attorney in this matter for the Appellant, certifies pursuant to Rule 209(c), SCACR, that this designation contains no materials that are irrelevant to the appeal.

s/ R. Hawthorne Barrett
R. Hawthorne Barrett
SC Bar No: 16973
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Attorneys for Appellant

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PROOF OF SERVICE

The undersigned, an attorney in this matter for the Appellant, certifies that I have this **16th day of October, 2020**, served copies of the **Initial Appellant's Brief** and **Designation of Matter to be Included in the Record on Appeal** upon counsel for the Respondent by causing them to be deposited in the United States mail with sufficient postage attached, addressed to: Eric M. Poulin, Roy T. Wiley, J. Camden Hodge; Anastopoulo Law Firm, LLC; 32 Ann St., Charleston, SC 29403.

s/ R. Hawthorne Barrett
R. Hawthorne Barrett
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October 16, 2020

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REPLY TO:

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October 16, 2020

The Hon. Jenny Abbott Kitchings
Clerk of Court
South Carolina Court of Appeals
1220 Senate St.
Columbia, SC 29201

RECEIVED
Oct 16 2020
SC Court of Appeals

Re: Frederick, Daisy v. McDowell, Daniel
Appellate Case No. 2020-00989
Our File No. 01464.07429

Dear Ms. Kitchings:

Attached to this email are the following materials: (1) the Initial Appellant's Brief, (2) the Designation of Matter to be Included in the Record on Appeal, and (3) the Proof of Service. These materials are being submitted for filing via email pursuant to section (c)(6) of the Supreme Court's Order re: Operation of the Appellate Courts During the Coronavirus Emergency (as amended May 29, 2020). Thank you for your kind assistance.

Sincerely,

TURNER PADGET GRAHAM & LANEY P.A.



R. Hawthorne Barrett

RHB
Attachments

cc: Eric M. Poulin
Roy T. Wiley
J. Camden Hodge