

**RECEIVED**  
OCT 21 2020  
SC Court of Appeals

APPEAL FROM CHARLESTON COUNTY

Bentley D. Price, Circuit Court Judge for Charleston County

Appellate Case No. 2020-000594

Melissa Combs a/k/a Melissa Cleary.....Appellant,

v.

Carlie Elvin Cleary, Individually and as Personal Representative of the Estate of Scott B. Cleary & Ditech Financial, LLC.

Of whom Carlie Elvin Cleary, Individually and as Personal Representative of the Estate of Scott B. Cleary .....Respondent,

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

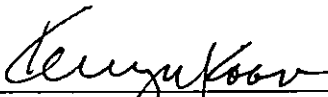
Appellant proposes the following be included in the record on appeal:

1. Order of Honorable Bentley D. Price filed January 30, 2020;
2. Order of Honorable Bentley D. Price filed March 3, 2020;
3. Summons and Complaint, case number 2019-ES-10-0038;
4. Lis Pendens, case number 2019-LP-10-0354;
5. Answer & Counterclaim filed May 1, 2019;
6. Plaintiff's Answer to Counterclaim filed May 9, 2019;
7. Motion for Removal filed May 9, 2019;
8. Order for Removal of the Honorable Tamara C. Curry, Associate Probate Judge dated May 13, 2019;
9. Notice of motion and Motion to Dismiss (S.C.R.C.P. 12(b)(1)) filed August 16, 2019;
10. Plaintiff's Memorandum in Opposition to Defendants' Motion to Dismiss filed January 6, 2020, and supporting Affidavits of Robert L. Meyer, Jr., Carol Meyer, Peggy Harris, Ian McClure and Melissa Combs, with exhibits;

11. Plaintiff's Motion to Alter or Amend filed February 7, 2020;
12. Transcript of hearing of January 9, 2020; and
13. Transcript of hearing of March 3, 2020.

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

October 20, 2020

  
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**KERRY W. KOON**  
147 Wappoo Creek Drive, Ste. 203  
Charleston, SC 29412  
(843) 795-7000  
*ATTORNEY FOR APPELLANT*

Telephone: Bus: (843) 795-7000  
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**KERRY W. KOON**  
*Attorney at Law*  
147 Wappoo Creek Drive  
Wappoo Centre, Suite 203  
Charleston, South Carolina 29412

October 20, 2020

**VIA FEDEX # 8153 7796 6664**  
Jenny Kitchings, Clerk of Court  
South Carolina Court of Appeals  
1220 Senate Street  
PO Box 11629 (29211)  
Columbia, SC 29201

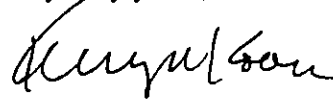
**RE: *Melissa Combs a/k/a Melissa Cleary v. Carlie Elvin Cleary, Individually & as Personal Representative of the Estate of Scott B. Cleary & Ditech Financial, LLC***  
**Appellate case #: 2020-000594**

Dear Madam Clerk,

Please find herewith the Appellant's Initial Brief and Designation of Matter to be Included in the Record on Appeal together with a Proof of Service of the same for filing in the above referenced matter.

With kindest personal regards, I am

Very truly yours,



Kerry W. Koon

KWK:mm  
Enclosures

cc: John Dodds, Esq.

10100

**FedEx** Express **Package US Airbill**

8153 7796 6664

0215

1 From  
Date 10/21/20

Sender's Name  
Phone

Company KOON, KERRY W. ATTORNEY

Address 147 WAPPING WHEEK DR STE 203

City CHARLESTON State SC ZIP 29401

2 Your Internal Billing Reference SC Court of Appeals

3 To  
Recipient's Name W. J. KATHMS

Company W. J. KATHMS

Address 1222 W. STATE

City CHARLESTON State SC ZIP 29401

Use this line for the ADDL to sender address or for continuation of your shipping address.

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4 Express Package Service

Next Business Day  2  
7 on 3 Business Days

FedEx First Overnight  
FedEx Priority Overnight  
FedEx Standard Overnight

FedEx 2Day  
FedEx 2Day A.M.  
FedEx Express Saver

5 Packaging  
Envelope  FedEx Pak  FedEx Box  FedEx Tube  Other

6 Special Handling and Delivery Signature Options

Saturday Delivery  
No Signature Required  
Direct Signature  
Indirect Signature

Does this shipment contain dangerous goods?  
No  Yes

7 Payment Bill to:  
Sender  Recipient  Third Party

Total Packages Total Weight

111

fedex.com 1800.GoFedEx 1800.4E

fedex.com 1800.GoFedEx 1800.4E