

THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

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Nov 02 2020

APPEAL FROM LEXINGTON COUNTY
COURT OF COMMON PLEAS

SC Court of Appeals

Honorable James O. Spence, Master-in-Equity for Lexington County

CASE NO. 2020-000872

First Reliance Bank, Respondent.

v.

Charles E. Bishop, Brett D. Blanks, BCM of Lexington, LLC d/b/a Dam Bar & Grill, B&H of Lexington, LLC and Branch Banking and Trust Company of South Carolina, Defendants.

Of Whom Charles E. Bishop is the Appellant.

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

Paul B. Ferrara, III
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Attorney for Appellant

Pursuant to Rule 209(a) SCACR, Appellant designates the following supplemental matters to be included in the Record on Appeal:

1. Honorable James O. Spence's Order of Judgment of Foreclosure dated January 5, 2012.
2. Honorable James O Spence's Order Appointing Appraisers dated January 17, 2013.
3. Honorable James O Spence's Return of Appraisers to Equity Court dated February 27, 2013.
4. Letter from Appraisers to Honorable James O. Spence with appraised market value of TMS#: 003418-01-008 dated February 21, 2013.
5. Appeal of the Return of Appraisers dated March 15, 2013.
6. Transcript for Hearing on Appeal of the Return of Appraisers dated April 10, 2014.
7. Letter from Honorable James O. Spence advising counsel to submit proposed orders dated June 18, 2014.
8. Email from Gail R. Faircloth, Court Assist serving Letter from Honorable James O. Spence dated June 18, 2014 on June 27, 2014.
9. The Supreme Court of South Carolina Order placing George Hunter McMaster on interim suspension and appointing Peyre T. Lumpkin as receiver dated July 2, 2014.
10. Letter to Charles E. Bishop from Peyre T. Lumpkin dated July 14, 2014.
11. Letter from George McMaster to First Reliance Bank counsel, James Bradley dated July 15, 2014.
12. Email from trial court advising that proposed orders were due by July 31, 2014 dated July 17, 2014.
13. Undeliverable mail notice to Peyre T. Lumpkin dated July 28, 2014.
14. Email from First Reliance Bank with proposed order to the Court dated July 31, 2014.

15. Email from Peyre T. Lumpkin to the Court dated July 31, 2014.
16. Email from Honorable James O. Spence to Peyre T. Lumpkin dated October 22, 2014.
17. Email responding to Honorable James O. Spence from Peyre T. Lumpkin dated October 22, 2014.
18. Email from Honorable James O. Spence to Peyre T. Lumpkin and James Bradley dated October 23, 2014.
19. Honorable James O. Spence's Order affirming the appraisal panel return dated October 23, 2014.
20. Honorable James O. Spence's Amended Order of Deficiency dated November 26, 2014.
21. Filed Transcript of Judgment in Lexington County by First Reliance Bank dated April 30, 2020.
22. Filed Transcript of Judgment in Charleston County by First Reliance Bank dated May 5, 2020.
23. Letter to Charles E. Bishop with notice of transcript of judgment dated May 15, 2020.
24. Notice of Appeal by Charles E. Bishop dated June 10, 2020.
25. Transcript of Master in Equity Hearing for Appeal of Return of Appraisers dated April 10, 2014.
26. Exhibit 2 and Exhibit 4 of Transcript of Master in Equity Hearing for Appeal of Return of Appraisers dated April 4, 2014.
27. Exhibit 5 of Transcript of Master in Equity Hearing for Appeal of Return of Appraisers dated April 4, 2014.
28. Exhibit 6 of Transcript of Master in Equity Hearing for Appeal of Return of Appraisers dated April 4, 2014.

CERTIFICATION BY COUNSEL

I, the undersigned counsel, do hereby certify pursuant to Rule 209(c) SCACR that Appellant's Designation of Matter to be Included in the Record on Appeal contains no matter which is irrelevant to this appeal.

Respectfully submitted this 1st day of November, 2020.

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/s/ Paul B. Ferrara, III
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Other Counsel of Record: James Edward Bradley, Esq.
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Attorney for Respondents

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In the Court of Appeals

APPEAL FROM LEXINGTON COUNTY
Court of Common Pleas

Honorable James O. Spence, Master-in-Equity for Lexington County

CASE NO. 2020-000872

Charles E. Bishop.....Appellant

v.

First Reliance BankRespondent

PROOF OF SERVICE

I certify that I have served a copy of the Appellant’s Initial Brief, Designation of Matter and Certification of Counsel by depositing a copy of it in the United States Mail, postage prepaid, on November 1, 2020, addressed to:

James Edward Bradley, Esq.
Moore, Taylor & Thomas, P.A.
1700 Sunset Boulevard
P.O. Box 5709
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Attorney for Respondent



/S Paul B. Ferrara, III
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Paul B. Ferrara, III*
Janel K. Ferrara*

**(also Admitted in N.C.)*

November 1, 2020

The Honorable Jenny Abbott Kitchings
Clerk of Court
South Carolina Court of Appeals
P.O. Box 11629
Columbia, SC 29211

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SC Court of Appeals

Re: First Reliance Bank v. Charles E. Bishop
Appellate Case No.: 2020-000872
Our File No.: 20-541

Dear Ms. Kitchings:

Please find for filing the Appellant's Initial Brief, Proof of Service, and Designation of Matter included in the record on appeal.

Please file the originals and return a clocked copy to our office in the self-addressed stamped envelope which is enclosed.

Sincerely,

FERRARA LAW FIRM, PLLC



Paul B. Ferrara, III

Enclosures

cc: James Bradley, Esq.