

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM FLORENCE COUNTY
Court of Common Pleas
Michael G. Nettles, Circuit Court Judge

RECEIVED

Nov 16 2020

Case No. 2018-CP-21-03002

SC Court of Appeals

Appellate Case No. 2020-000815

Dennis Robert Mitton, Respondent,

v.

Danny James, Appellant.

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

Pursuant to Rule 209, SCACR, Appellant designates the following material for inclusion in the record on appeal. Undersigned counsel certifies, pursuant to Rule 209(c), SCACR, that the designation contains no matter which is irrelevant to this appeal.

Orders

1. Special Referee's Order Assigning Rights, filed September 18, 2020
2. Special Referee's Order Denying Motion to Stay, filed September 18, 2020
3. Order Denying Defendant's Rule 60(b) Motion and Referring Motion to Stay to Special Referee, filed August 25, 2020
4. Order for Rule to Show Cause, filed May 14, 2020
5. Order Clarifying April 21, 2020 Order and Denying Reconsideration, filed May 7, 2020
6. Order Vacating November 19, 2019 Order and Reinstating Default Judgment, filed April 21, 2020
7. Order Granting Defendant's Motion to Alter or Amend pursuant to Rule 59(e) and Setting Aside Entry of Default and Default Judgment, filed November 19, 2019

8. Order Relieving Louis D. Nettles as Counsel for Defendant, March 30, 2020
9. Order of Default and for Hearing on Damages, filed March 27, 2019

Judgments

10. Form 4 Judgment in a Civil Case, filed August 30, 2019
11. Order for Judgment, filed August 30, 2019

Pleadings

12. Answer of Defendant Danny James, filed September 11, 2019
13. Plaintiff's Summons & Complaint, filed November 15, 2018

Motions, Supporting Memoranda, & Other Filings

14. Plaintiff's Memorandum in Opposition to Motion to Stay, filed August 12, 2020
15. Plaintiff's Memorandum in Opposition to Rule 60(b) Motion for Relief from Default Judgment, filed August 12, 2020
16. Defendant's Motion to Stay Execution Pending Appeal, filed July 28, 2020
17. Defendant's Motion for Relief from Default Judgment & Supporting Exhibits, filed July 27, 2020
18. Motion for Rule to Show Cause & Exhibit, filed May 12, 2020
19. Defendant's Rule 59(e) Motion to Alter, Amend, or Reconsider April 21, 2020 Order Granting Plaintiff's Motion to Vacate and Reinstating Default Judgment & Supporting Exhibits, filed May 1, 2020
20. Execution of Judgment, filed April 24, 2020
21. Defendant's Memorandum in Opposition to Plaintiff's Motion to Vacate November 19, 2020 Order and Motion to Amend Complaint & Supporting Exhibit, filed March 26, 2020
22. Plaintiff's Memorandum in Support of Motion to Vacate and Reinstate Order, filed March 26, 2020
23. Transcript of Deposition of Danny James, filed March 26, 2020

24. Plaintiff's Motion to Vacate Order Dated November 19, 2019 and to Reinstate Order Dated August 30, 2019 & Supporting Exhibits, filed February 4, 2020
25. Plaintiff's Motion to Amend the Summons and Complaint & Supporting Exhibit, filed February 4, 2020
26. Defendant's Reply to Plaintiff's Memorandum in Opposition to Defendant's Rule 59(e) Motion & Supporting Exhibit, filed October 4, 2019
27. Plaintiff's Memorandum in Opposition to Defendant's Rule 59(e) Motion & Supporting Exhibits, filed October 2, 2019
28. Defendant's Memorandum in Support of Rule 59(e) Motion to Alter or Amend Judgment & Supporting Exhibits, filed October 1, 2019
29. Plaintiff's Email Response in Opposition to Defendant's Rule 59(e) Motion, filed September 10, 2019
30. Defendant's Rule 59(e) Motion to Alter or Amend Judgment & Supporting Exhibits, filed September 9, 2019
31. Defendant's Memorandum of Objection to Entry of Money Judgment, filed August 26, 2019
32. Defendant's Memorandum in Support of Motion for Relief from Entry of Default & Supporting Exhibit, filed August 7, 2019
33. Plaintiff's Memorandum in Opposition to Defendant's Motion for Relief from Default Judgment, filed August 5, 2019
34. Defendant's Motion for Relief from Entry of Default, filed April 4, 2019
35. Plaintiff's Affidavit of Default, filed March 27, 2019
36. Plaintiff's Motion for Order of Default and Hearing on Damages, filed March 27, 2019
37. ECF – Notice of Appearance of Louis Nettles, December 7, 2018
38. Affidavit of Service on Danny James, November 11, 2018

Transcripts

39. Transcript of Hearing on Defendant's Motion to Stay, August 31, 2020
40. Transcript of Hearing on Defendant's Rule 60(b) Motion and Motion to Stay, August 19, 2020

41. Transcript of Hearing on Plaintiff's Motion to Vacate, March 27, 2020
42. Transcript of Hearing on Defendant's Motion to Alter or Amend Pursuant to Rule 59(e), October 2, 2019
43. Transcript of Hearing on Defendant's Motion for Relief from Entry of Default and Damages Hearing, August 27, 2019

Other

44. Notice of Appeal (Third), filed October 17, 2020
45. Notice of Appeal (Second), filed September 9, 2020
46. Notice of Appeal, filed May 30, 2020

Signature on Following Page

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PROOF OF SERVICE

I, the undersigned Attorney of the law offices of Nelson Mullins Riley & Scarborough, LLP, do hereby certify that on November 16, 2020, I have served all counsel in this action with a copy of the pleading(s) hereinbelow in accordance with the Supreme Court's May 29, 2020 Administrative Order by emailing a copy to each attorney listed below using their primary email address listed in the Attorney Information System.

Documents Served: Amended Initial Brief of Appellant
Amended Designation of Matter

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Counsel for Appellant Danny James

Blake Williams

From: Blake Williams
Sent: Monday, November 16, 2020 12:04 PM
To: William P. Hatfield; Bert Utsey
Cc: Mitch Brown; Murrell Smith; 'Shanon Peake'
Subject: Mitton v. James, Appellate Case No. 2020-000815
Attachments: 2020.11.16 Amended Initial Brief of Appellant.pdf; 2020.11.16 Amended Designation of Matter of Appellant.pdf

Good afternoon,

Attached for service please find the Appellant's: (1) Amended Initial Brief of Appellant and (2) Amended Designation of Matter. This is being served on you via email pursuant to subsection (g)(3) of Supreme Court Administrative Order 2020-05-29-02.

Thank you,



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