

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM SPARTANBURG COUNTY
Court of Common Pleas

J. Derham Cole, Judge

Case No. 2019-CP-42-02092
Appellate Case No. 2020-001110

RECEIVED

Nov 24 2020

SC Court of Appeals

Luther Harris, Donna Harris, and Bobby E. Leopard, Appellants,

v.

Perry Wendall Barbour and Southland Transportation Co., Respondents.

APPELLANTS' DESIGNATION OF MATTER

TO BE INCLUDED IN THE RECORD ON APPEAL

Respondents propose the following be included in the Record on Appeal:

1. Order of Dismissal, dated March 10, 2020;
2. Order Denying Motion for Reconsideration, dated July 14, 2020;
3. Complaint;
4. Stamped, signed return of service upon Southland Transportation by certified mail;
5. Service upon Southland Transportation through the Secretary of State;
6. Southland Transportation Answer;
7. Southland Transportation Motion to Dismiss;
8. Affidavit of Service of Southland Transportation Answer and Motion to Dismiss;
9. Reply to Southland Transportation Motion to Dismiss;
10. Certified letter from the South Carolina Department of Motor Vehicles to Perry Barbour, attempting service;
11. Barbour Motion to Dismiss;
12. Appellant's Reply Brief in Opposition to Barbour Motion to Dismiss;
13. Addendum to Appellants' Reply Brief in Opposition to Motion to Dismiss;
14. Second Addendum to Appellants' Reply Brief;

15. Motion to Reconsider Order of Dismissal;
16. Brief in Opposition to Motion for Reconsideration;
17. Brief in Response to Respondents' Brief in Opposition;
18. Appellants' Memorandum in Support of Motion for Reconsideration;
19. Respondents' Supplemental Brief in Opposition to Motion for Reconsideration;
20. Appellants' Supplemental Memorandum;
21. Correspondence between Appellants' attorney and representatives of Sentry Insurance Co., dated July 7, 2019;
22. Emails between Appellants' attorney and representatives of Sentry Insurance Co.;
23. Affidavit of Kristen Smith, dated February 24, 2020;
24. Affidavit of Aisabai A. Ford, dated February 24, 2020;
25. Affidavit of Aisabai A. Ford, dated February 24, 2020;
26. Letter from Natasha Thomas of the South Carolina Department of Motor Vehicles to Appellants' attorney, dated November 22, 2019;
27. Envelope from South Carolina Department of Motor Vehicles, marked return to sender, dated November 21, 2020.

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

s/David L. Moore, Jr.
David L. Moore, Jr. (SC Bar No.: 4050)
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ATTORNEY FOR RESPONDENTS

Greenville, South Carolina
Date: November 13, 2020

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PROOF OF SERVICE

Pursuant to Supreme Court of South Carolina's Amended Order 2020-05-29-02, I am filing a copy of the Initial Brief of Respondents and Designation of Matter to be Included on the Record on Appeal, upon the Honorable Jenny Abbott-Kitchings, Clerk of Court of South Carolina Court of Appeals through AIS system and serving a copy of the same upon Appellants, by and through Mr. Donald L. Smith, Esquire, by email through the following addresses:

Ms. Jenny Abbott-Kitchings
Mr. Donald L. Smith, Esq.

ctappfilings@sccourts.org
attorneydonaldsmith@gmail.com

s/David L. Moore, Jr.

David L. Moore, Jr. (SC Bar No.: 4050)

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ATTORNEY FOR RESPONDENTS

Greenville, South Carolina

Date: November 13, 2020

Turner | Padget

REPLY TO:
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November 24, 2020

The Honorable Jenny Abbott Kitchings
Clerk of the Court South Carolina Court of Appeals
Post Office Box 11629
Columbia, South Carolina 29211

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SC Court of Appeals

Re: Luther Harris, Donna Harris and Bobby E. Leopard vs.
Perry Wendell Barbour and Southland Transportation Co.
C.A. No.: 2019-CP-42-02092
Appellate Case No. 2020-001110
TP File No.: 00472.01050

Dear Ms. Kitchings:

Please find enclosed the following revised documents, per your e-mail of November 23, for filing in the above-captioned appealed case:

1. Initial Brief of Respondents
2. Designation of Matter to be Included on Record on Appeal; and
3. Proof of Service of same.

Sincerely,

/s/ David L. Moore, Jr.
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DLM:aa
Enclosures

Cc: Mr. Donald L. Smith, Esq.