

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

APPEAL FROM RICHLAND COUNTY  
Court of Common Pleas

Michael G. Nettles, Circuit Court Judge

Case No. 2018-CP-400-6344

Appellate Case # 2019-001488

**RECEIVED**

**Dec 18 2020**

**SC Court of Appeals**

MB Hutson/ MB Hudson

Appellant.

v.

Penn America Insurance  
Company, Global Indemnity  
Group, Inc., Timothy J.  
Newton, Esq., J.R. Murphy,  
Esq., John Doe #1 and John  
Doe #2,

Respondents,

**MOTION TO AMEND Appellant’s DESIGNATION OF MATTER  
TO BE INCLUDED IN THE RECORD ON APPEAL**

In accordance with Rule 209 of the Appellate Court Rules, Appellate MOTION designates the following transcript, pleadings, orders, exhibits, etc., to be included in the Record on Appeal. The \$50.00 (fifty dollar) filing fee was placed in the USPS to the Appellate Court on Friday, December 18, 2020 with a copy of this MOTION.

**Orders / Decisions**

1. Order Granting Defendants PAIC’s Motions for Summary Judgment..... *filed July 18, 2019.*
2. Order Granting Defendants Newton & Murphy’s Dispositive Motions..... *filed July 18, 2019.*

## **Pleadings**

3. Hutson’s Summons and Complaint.....*filed Dec. 5, 2018;*
4. Hutson’s Amended Summons and Complaint.....*filed Dec. 28, 2018;*
5. Hutson’s Exhibits to Amended Complaint,  
with Exhibits 1.1 through 13.0.....*filed Jan. 03, 2019;*

## **Motions, Memoranda, and Responses/Answers**

6. Newton and Murphy’s Motion to Dismiss.....*filed Feb.12, 2019;*
7. Penn America & Global Indemnity Inc.’s Answer  
to Amended Complaint.....*filed Feb. 14, 2019;*
8. Hutson’s response with Exhibits 14.0 through 30.0 to  
Newton/Murphy’s Motion to Dismiss..... *filed May 7, 2019;*
9. Newton’s Memorandum in Support of Motion to Dismiss,  
including Exhibits “A” through “AA”.....*filed May 30, 2019;*
10. Newton’s Amended Motion to Dismiss for Summary  
Judgment.....*filed June 5, 2019;*
11. Newton’s Reply Memorandum in Support of Summary  
Judgment with Exhibits “BB” and “CC” .....*filed June 13, 2019;*
12. PAIC’s Motion For Summary Judgment, incl.  
Exhibits A & B attached.....*filed June 14, 2019;*
13. Hutson’s Supplemental to Memorandum with
  - a) **AFFIDAVIT** of M. B. Hutson with Exhibit 31.0, and
  - b) Plaintiff’s Exhibit 32.0, emails.....*filed June 19, 2019;*
14. **AFFIDAVIT** of Timothy Newton with Exh. 1-3, “V”).....*filed June 24, 2019;*
15. Newton’s Amended Response to Plaintiff’s Supp. to Memorandum  
(with Exhibits DD through HH) (177 pp.).....*filed June 25, 2019;*
16. Murphy’s Memorandum in Support of Motion to Dismiss... *filed June 25, 2019;*
17. PAIC’s Memorandum in Support of Summary Judgment

- with Exhibits A & B .....*filed June 25, 2019;*
- 17B. Hutson’s MOTION to Amend his  
Designation of Matter.....*filed Dec. 18, 2020.*

**TRANSCRIPT**

18. **Complete transcript** of motions hearing held before the  
Hon. Judge Michael Nettles, June 26, 2019 (64 pp.).....

*Unreported Extrinsic Fraud addressed by Appellate therein:  
Transcript p. 29, lines 24-25, p. 36, lines 3-6, .p. 37, lines 6-14,  
p. 38, lines 6- 13, p. 40, lines 9-19, p. 44, lines 5-11.....*

**EXHIBITS, at Hearing**

19. Hutson’s “**Read Sheet**”: Prior to Plaintiff presenting his case to Judge Nettles, (Transcript, page 22, lines 14-19), Hutson personally distributed a twenty-four (24) page Exhibit Package to all parties (Hon. Judge Nettles, Tim Newton, Esq., JR Murphy, Esq., and Christian Stegmaier, Esq). Plaintiff refers to the Exhibit as his “Read Sheet” to the Honorable Judge Nettles (Transcript p. 22, line 19), which consisted of excerpts from Plaintiff’s earlier filings. The copy provided herein includes Plaintiff’s hand-notes and talking points that were planned, although cut short by the Judge (Transcript p. 46, ll. 9 – p. 47, ll.25).

**CERTIFICATION:**

This Designation contains no matter that is irrelevant to the appeal.

Signed this 18<sup>th</sup> day of December by:

/s/ M B Hutson  
M B Hutson, Pro Se Appellant  
P. O. Box 2755  
Orangeburg, SC 29116-2755  
(803) 308-2714  
hutson4444@gmail.com

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John Doe #2

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PROOF OF SERVICE

I certify that I have electronically filed and served a copy of APPELLATE'S MOTION TO AMMEND HIS DESIGNATION OF MATTER with this PROOF OF SERVICE on Penn America Insurance Company & Global Indemnity Insurance Company's, attorneys of record, Christian Stegmaier and Laura Baer, [cstegmaier@collinsandlacy.com](mailto:cstegmaier@collinsandlacy.com) and [lbaer@collinsandlacy.com](mailto:lbaer@collinsandlacy.com), respectively, and also to J. R. Murphy, Esq., and Timothy Newton, Esq. (both acting as Pro Se) at [jrmurphy@murphygrantland.com](mailto:jrmurphy@murphygrantland.com) and [tnewton@murphygrantland.com](mailto:tnewton@murphygrantland.com), respectively.

December 18, 2020

/s/ M B Hutson  
M B Hutson, Pro Se  
Post Office Box 2755  
Orangeburg, South Carolina 29116-2755  
(803) 308-2714