

THE STATE OF SOUTH CAROLINA  
In the Court of Appeals  
APPEAL FROM DORCHESTER COUNTY  
Court of Common Pleas

**RECEIVED**  
**Jan 15 2021**  
SC Court of Appeals

Deadra L. Jefferson, Circuit Court Judge  
Edgar W. Dickson, Circuit Court Judge  
Maite Murphy, Circuit Court Judge

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Appellate Case No. 2018-002185  
Case No. 2016-CP-26-01706

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Molly Morphew.....Appellant,

v.

Stephen Dudek, Doreen Cross, David Collins, Allison Williams, First Federal, Michael Scarafile,  
Susan Nicholson, Carolina One Real Estate, Carrie Boyer, Woody Law Firm.....Respondents.

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**RESPONDENTS CARRIE BOYER & WOODY LAW FIRM’S RETURN TO  
APPELLANT’S MOTION FOR EXTENSION AND AMENDMENT OF  
RESPONDENTS’ DESIGNATION OF MATTER**

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Respondents Carrie Boyer and Woody Law Firm (collectively “Respondents”) respectfully submit the following Return to Appellant’s Motion for Extension and Amendment of Respondents’ Designation of Matter and request that such motion be denied.

Appellant complains she is unable to compile the Record on Appeal because Respondents’ Designation of Matter does not clearly identify items for inclusion. To the contrary, Respondents’ Designation of Matter clearly describes each item in terms substantially similar or identical to the caption of the document. Perhaps Appellant’s alleged confusion stems from the fact that she has filed numerous other lawsuits in connection with the property at issue in the subject case and so is unable to keep straight which documents go with each lawsuit. The overwhelming majority of the

items designated by Respondents are from the subject lawsuit, Case No. 2016-CP-26-01706, as the orders at issue in this appeal were entered in that case. Regardless, in the interest of moving the appellate process forward, Respondents offer the following additional information concerning the items included in their Designation of Matter, with additional information/comments in **bold**. Respondents will serve and file an Amended Designation of Matter or provide any additional identifying information the Court deems necessary:

1. Transcript of Hearing dated November 7, 2016 (**This should be self-evident given the date has been provided. This hearing was conducted in Case No. 2016-CP-26-01706.**)
2. Transcript of Hearing dated May 29, 2018 (**This should be self-evident given the date has been provided. This hearing was conducted in Case No. 2016-CP-26-01706.**)
3. Transcript of Hearing dated October 1, 2018 (**Thi should be self-evident given the date has been provided. This hearing was conducted in Case No. 2016-CP-26-01706.**)
4. Transcript of Deposition of Molly Morpew with Exhibits (**Case No. 2016-CP-26-01706**)
5. Summons and Complaint (**Case No. 2016-CP-26-01706**)
6. Amended Answer of Defendants Carrier Boyer and Woody Law Firm (**Case No. 2016-CP-26-01706; These Defendants have not been involved in any other litigation with Plaintiff so this should be apparent.**)
7. Allison Williams and First Federal's Motion to Dismiss (**Case No. 2016-CP-26-01706; This should be apparent as Appellant has appealed the partial grant of this motion.**)
8. Dudek and Cross' Notice of Motion and Motion to Dismiss and Motion for Sanctions (**Case No. 2016-CP-26-01706**)
9. Michael Scarafile, Susan Nicholson, Carolina One Real Estate and David Collins' Motion to Dismiss (**Case No. 2016-CP-26-01706; This should be apparent as Appellant has appealed the partial grant of this motion.**)
10. The Woody Law Firm and Carrie Boyers' Motion to Dismiss (**Case No. 2016-CP-26-01706; This should be apparent as Appellant has appealed the partial grant of this motion.**)
11. Allison Williams and First Federal's Memorandum in Support of their Motion to Dismiss with all Exhibits (**Case No. 2016-CP-26-01706; This should be apparent as Appellant has appealed the partial grant of this motion.**)

12. Dudek and Cross's Memorandum in Support of Motion to Dismiss with all Exhibits (**Case No. 2016-CP-26-01706; This should be apparent as Appellant has appealed the partial grant of this motion.**)
13. The Woody Law Firm and Carrie Boyer's Memorandum in Support of Motion to Dismiss with all Exhibits (**Case No. 2016-CP-26-01706; This should be apparent as Appellant has appealed the partial grant of this motion.**)
14. Order granting in part and denying in part Allison Williams and First Federal's Motion to Dismiss (**Case No. 2016-CP-26-01706; This should be apparent as Appellant has appealed this order.**)
15. Order granting in part and denying in part Dudek and Cross's Motion to Dismiss (**Case No. 2016-CP-26-01706; This should be apparent as Appellant has appealed this order.**)
16. Order granting in part and denying in part Carrie Boyer and Woody Law Firm's Motion to Dismiss (**Case No. 2016-CP-26-01706; This should be apparent as Appellant has appealed this order.**)
17. Order granting in part and denying in part Scarafile, Nicholson, Carolina One and Collins' Motion to Dismiss (**Case No. 2016-CP-26-01706; This should be apparent as Appellant has appealed this order.**)
18. Allison Williams and First Federal's Motion to Alter or Amend Order granting in part and denying in part their Motion to Dismiss (**Case No. 2016-CP-26-01706**)
19. Amended Order granting in part and denying in part Allison Williams and First Federal's Motion to Dismiss (**Case No. 2016-CP-26-01706; This should be apparent as Appellant has appealed this order.**)
20. Carrie Boyer and Woody Law Firm's Motion to Alter or Amend Order granting in part and denying in part their Motion to Dismiss (**Case No. 2016-CP-26-01706**)
21. Amended Order granting in part and denying in part Carrie Boyer and Woody Law Firm's Motion to Dismiss (**Case No. 2016-CP-26-01706; This should be apparent as Appellant has appealed this order.**)
22. Allison Williams' and First Federal's Motion for Summary Judgment with Exhibits (**Case No. 2016-CP-26-01706; This should be apparent as Appellant has appealed the grant of this motion.**)
23. Woody Law Firm and Carrie Boyer's Motion for Summary Judgment with Exhibits (**Case No. 2016-CP-26-01706; This should be apparent as Appellant has appealed grant of this motion.**)

24. Wooddy Law Firm and Carrie Boyer's Amended Motion for Summary Judgment with Exhibits **(Case No. 2016-CP-26-01706; This should be apparent as Appellant has appealed grant of this motion.)**
25. Dudek, Cross, Nicholson, Scarafile and Carolina One's Motion for Summary Judgment **(Case No. 2016-CP-26-01706; This should be apparent as Appellant has appealed grant of this motion.)**
26. Allison Williams' and First Federal's Memorandum in Support of their Motion for Summary Judgment with Exhibits **(Case No. 2016-CP-26-01706; This should be apparent as Appellant has appealed grant of this motion.)**
27. Plaintiff's Response to First Federal's Motion for Summary Judgment with Exhibits **(Case No. 2016-CP-26-01706; This should be apparent as Appellant has appealed grant of this motion.)**
28. Wooddy Law Firm and Carrie Boyer's Memorandum in Support of their Motion for Summary Judgment with Exhibits **(Case No. 2016-CP-26-01706; This should be apparent as Appellant has appealed grant of this motion.)**
29. Dudek, Cross, Nicholson, Scarafile and Carolina One's Memorandum in Support of Motion for Summary Judgment with Exhibits **(Case No. 2016-CP-26-01706; This should be apparent as Appellant has appealed grant of this motion.)**
30. Order filed May 31, 2018 by Judge Dickinson **(Case No. 2016-CP-26-01706)**
31. Order granting Allison Williams' and First Federal's Motion for Summary Judgment **(Case No. 2016-CP-26-01706; This should be apparent as Appellant has appealed this order.)**
32. Order granting Dudek, Cross, Nicholson, Scarafile and Carolina One's Motion for Summary Judgment **(Case No. 2016-CP-26-01706; This should be apparent as Appellant has appealed this order.)**
33. Order granting Wooddy Law Firm and Carrie Boyer's Motion for Summary Judgment **(Case No. 2016-CP-26-01706; This should be apparent as Appellant has appealed this order.)**
34. Order granting David Collins' Motion for Summary Judgment **(Case No. 2016-CP-26-01706; This should be apparent as Appellant has appealed this order.)**
35. Morphew's Motion to Deem Defendant Cross' Admissions Admitted **(Case No. 2016-CP-26-01706)**
36. Morphew's Motion to Compel Defendant Cross **(Case No. 2016-CP-26-01706; This should be apparent as Appellant has appealed this order.)**

37. Morphew's Motion to Deem Admission's Admitted as to First Federal (**Case No. 2016-CP-26-01706; This should be apparent as Appellant has appealed this order.**)

38. Morphew's contract with Sellers (**December 16, 2012 Agreement to Buy and Sell Real Estate between Appellant and the Ferros**)

Appellant next generally complains that Respondents have “violate[d] court rules and severely prejudice[d] Appellant by including vast amount of irrelevant, unreferenced, un-argued or improper matter.” This is patently false. Each item designated is either discussed and referenced in Respondents' Initial Brief or Appellant's Initial Brief. As reflected by counsel's commentary above, the tremendous majority of the designated items are the motions, supporting memoranda, attached exhibits giving rise to Appellant's appeal and the transcripts of the hearings on the same. Furthermore, the majority if not all of the items were also designated by Appellant. Finally, even a cursory review of Appellant's own Designation of Matter (containing 57 items) and her second Designation of Matter submitted with her 70+ page Combined Reply Brief (containing 29 items) shows that Appellant has designated far more items for inclusion in the Record on Appeal than Respondents. Accordingly, Appellant alone is responsible for any alleged increased expense associated with assembling the Record on Appeal.<sup>1</sup> In addition, to the extent Appellant complains about having to serve copies of the voluminous Record on Appeal, that is her responsibility as an appellant under the South Carolina Appellate Court Rules, a fact of which Appellant is surely aware given her commencement of several other appeals in this Court. Regardless, it is the undersigned counsel's understanding that the appellate courts are accepting filings via email due to COVID-19; therefore, Appellant should communicate with the court to confirm she is permitted to file the Record on Appeal via email. See Order re: Operation of the

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<sup>1</sup> In fact, Appellant has designated many items that were not presented to the lower court during this case. However, Respondents made the strategic decision not to file a motion to strike these items in order to expediate resolution of this appeal, which has been pending since Appellant filed her Notice of Appeal in December 2018.

Appellate Courts During the Coronavirus Emergency (As Amended May 29, 2020), Appellate Case No. 2020-0004477.

Accordingly, for the reasons set forth above, as well as any arguments set forth in any Return filed by Co-Respondents, Appellant's motion should be denied.

COLLINS & LACY, P.C.

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***ATTORNEYS FOR RESPONDENTS  
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Murrells Inlet, South Carolina  
January 15, 2021