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SC Court of Appeals

THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

APPEAL FROM KERSHAW COUNTY
Court of Common Pleas

The Honorable Jean Hoefer Toal, Acting Circuit Court Judge

Appellate Case No. 2019-001632

In the matter of:
Lemuel Whitaker Boykin, II, deceased.

Rigdon H. Boykin, as sole disinterested Co-Trustee of the Lemuel
Whitaker Boykin, II Residuary Trusts A and B,.....Appellant-Respondent

v.

Mary Deas Wortley, individually, as Co-Trustee of the Lemuel
Whitaker Boykin, II Residuary Trusts A and B, Co-Trustee of the
Lemuel Whitaker Boykin Marital Deduction Trusts A and B, and
as Co-Personal Representative of the Estate of Alice S. Boykin;
Alice B. Belger, individually, as Co-Trustee of the Lemuel
Whitaker Boykin, II Residuary Trusts A and B, and as Co-Personal
Representative of the Estate of Alice S. Boykin; Lemuel Whitaker
Boykin, III; and May Cantey Boykin,

Of whom Mary Deas Wortley and Alice B. Belger are Respondent-Appellants

And

Lemuel Whitaker Boykin, III, and May Cantey Boykin are..... Respondents.

**APPELLANT-RESPONDENT’S MOTION TO
SUPPLEMENT RECORD ON APPEAL**

Pursuant to Rule 240, SCACR, Appellant-Respondent Rigdon H. Boykin respectfully
requests the Court to supplement the record on appeal by designating the following materials:

1. Order dated June 21, 2019
2. Petitioner's Opposition to Wortley and Belger's Amended Motion to Alter or Amend, dated June 11, 2019
3. Petitioner's Motion to Alter or Amend Order Removing Rigdon Boykin as Trustee, dated July 1, 2019
4. Exhibits to Deposition of William Harrison, dated Nov. 30, 2018.

Supplementing the record to include these materials is appropriate and necessary in this case because it addresses a matter which is discussed in the Final Brief of Appellant-Respondent and Final Reply Brief of Appellant-Respondent. These items were inadvertently omitted from the Appellant-Respondent's designation of matter. Accordingly, Appellant-Respondent requests that the Court include these documents in the record on appeal to ensure a complete understanding of the matters on appeal. Counsel for Wortley and Belger and Counsel for Respondents have been consulted and have indicated they consent to this Motion.

Respectfully submitted,

s/Wallace K. Lightsey

Wallace K. Lightsey (SC Bar No. 6476)

Wade S. Kolb, III (SC Bar No. 100379)

WYCHE, P.A.

Post Office Box 728

Greenville, SC 29602-0728

wlightsey@wyche.com

wkolb@wyche.com

***Attorneys for Appellant-Respondent Rigdon
H. Boykin***

June 2, 2021

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Of whom Mary Deas Wortley and Alice B. Belger are Respondent-Appellants

And

Lemuel Whitaker Boykin, III, and May Cantey Boykin are..... Respondents.

PROOF OF SERVICE

This is to certify that I have this date caused to be served a true and correct copy of the foregoing *Appellant-Respondent's Motion to Supplement Record on Appeal* and *Proof of Service* on counsel in this action by email, addressed as follows:

James Y. Becker
jbecker@hsblawfirm.com
Robert L. Reibold
rreibold@hsblawfirm.com
Mary C. Eldridge
meldridge@hsblawfirm.com

William S. Tetterton
william@tettertonlaw.com

This 2nd day of June, 2021.

s/Wallace K. Lightsey

Wallace K. Lightsey (SC Bar No. 6476)

Wade S. Kolb, III (SC Bar No. 100379)

Wyche P.A.

Post Office Box 728

Greenville, SC 29602-0728

(864) 242-8200

wlightsey@wyche.com

wkolb@wyche.com

Attorneys for Appellant-Respondent Rigdon H. Boykin

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SC Court of Appeals

June 2, 2021

BY EMAIL

The Honorable Jenny Abbott Kitchings
South Carolina Court of Appeals, Clerk of Court
1220 Senate Street
Columbia, South Carolina 29201

Re: *Rigdon H. Boykin, as sole disinterested Co-Trustee of the Lemuel Whitaker Boykin, II Residuary Trusts A and B v. Mary Deas Wortley, individually, as Co-Trustee of the Lemuel Whitaker Boykin, II Residuary Trusts A and B, Co-Trustee of the Lemuel Whitaker Boykin Marital Deduction Trusts A and B, and as Co-Personal Representative of the Estate of Alice S. Boykin; Alice B. Belger, individually, as Co-Trustee of the Lemuel Whitaker Boykin, II Residuary Trusts A and B, and as Co-Personal Representative of the Estate of Alice S. Boykin; Lemuel Whitaker Boykin, III; and May Cantey Boykin*
Appellate Case No. 2019-001632

Dear Ms. Kitchings:

Enclosed please find for filing with the Court, Appellant-Respondent's Motion to Supplement the Record on Appeal and the Supplemental Record on Appeal. We will send a check for the filing fee in the amount of \$50.00 along with the bound copies of the Final Briefs and Record on Appeal, pursuant to the Court's request by letter dated May 26, 2021. By copy of this letter, we are serving the above referenced documents on all parties to this appeal.

If you have any questions, please do not hesitate to contact our office.

With highest regards,

s/Wallace K. Lightsey
Wallace K. Lightsey
wlightsey@wyche.com
(864) 242-8200

Enclosures

cc: James Y. Becker, Esq. – *via Email*
Robert L. Reibold, Esq. – *via Email*
Mary C. Eldridge, Esq. – *via Email*
William S. Tetterton, Esq. – *via Email*