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**Jun 07 2021**

**SC Court of Appeals**

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

APPEAL FROM BEAUFORT COUNTY  
Court of Common Pleas  
The Honorable R. Ferrell Cothran, Jr.

Appellate Case No. 2021-000301

Charles Waymon Murphy,.....Appellant,

v.

Lori Ann Niverson; Starr Distributing, LLC.....Defendants,

Of which Starr Distributing, LLC, is the.....Respondent,

AND

Starr Distributing, LLC.....Third-Party Plaintiff,

v.

Arthur C. Niverson.....Respondent.

APPELLANT’S DESIGNATION OF MATTER FOR THE RECORD ON APPEAL

Appellant Charles Waymon Murphy designates the following to be included in the Record on Appeal with any necessary redactions pursuant to Supreme Court Order 2014-04-15-02:

1. Notice of Appeal, filed March 19, 2021
2. Amended Order Granting Summary Judgment, filed February 22, 2021
3. Complaint, filed October 19, 2018
4. Answer of Starr Distributing, LLC, filed December 20, 2018
5. Answer of Lori Niverson, filed January 29, 2019
6. Third-Party Complaint, filed June 24, 2019

- a. Exhibit – Independent Contractor agreement
7. Answer to Third-Party Complaint, filed July 19, 2019
8. Starr Distributing Notice of Motion and Motion for Summary Judgment, filed December 21, 2020
9. Starr Distributing Notice of Motion and Motion for Summary Judgment as to claims against Defendant Arthur Niverson, filed December 21, 2020
10. Third-party defendant’s motion for summary judgment, filed December 29, 2020
11. Third-party defendant’s memorandum in support of his motion for summary judgment, filed December 29, 2020
  - a. Excerpt of deposition of Charles Waymon Murphy
  - b. Excerpt of deposition of Arthur C. Niverson
  - c. Excerpt of deposition of Lori Ann Niverson
12. Starr Distributing, LLC’s memorandum in support of motion for summary judgment as to Plaintiff, filed January 22, 2021
  - a. Exhibit 1: Deposition of Charles Waymon Murphy
  - b. Exhibit 2: Deposition of Arthur Niverson
  - c. Exhibit 3: Deposition of Lori Ann Niverson
  - d. Exhibit 4: Independent Contractor agreement
13. Memorandum in Opposition to Summary Judgment, filed January 26, 2021
  - a. Deposition of Lori Ann Niverson
14. Order granting summary judgment, filed February 1, 2021
15. Motion to Reconsider, filed February 11, 2021
16. Transcript of hearing on January 26, 2021, all pages

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

June 7, 2021

Respectfully submitted,

s/Kathleen C. Barnes  
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v.

Arthur C. Niverson, .....Respondent.

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PROOF OF SERVICE

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The undersigned certifies that, on June 7, 2021, a copy of the Initial Brief of Appellant and Appellant’s Designation of Matter for the Record on Appeal have been served upon counsel of record for the Respondents via electronic mail using the email addresses listed in the Attorney Information System as set forth below:

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Dated: June 7, 2021

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**B A R N E S**  
L A W F I R M | L L C

Kathleen C. Barnes  
Admitted: Georgia | South Carolina

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**SC Court of Appeals**

June 7, 2021

**Via E-Mail**

The Honorable Jenny Abbott Kitchings  
Clerk of Court for the Court of Appeals  
Post Office Box 11629  
Columbia, South Carolina 29211  
[ctappfilings@sccourts.org](mailto:ctappfilings@sccourts.org)

Re: *Charles Waymon Murphy v. Arthur C. Niverson*  
Appellate Case No. 2021-000301

Dear Mrs. Kitchings:

Attached for electronic filing and service, please find the Initial Brief of Appellant and Appellant's Designation of Matter to be Included in the Record on Appeal, and proof of electronic service. Please file the documents and return one file-stamped copy to me via email. By electronic copy of this letter, I am serving all counsel of record with a copy of the same.

If you have any questions, please do not hesitate to contact me. Thank you.

Sincerely,

s/Kathleen C. Barnes  
Barnes Law Firm

Enclosures

cc: E. Mitchell Griffith (via email only)  
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