

RECEIVED

Jun 09 2021

SC Court of Appeals

IN THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM CHEROKEE COUNTY
Court of Common Pleas

Letitia H. Verdin, Judge

Appellate Case No.: 2021-000269
C.A. Case No.: 2020-CP-11-00632

Bobby E. Leopard, Luther Harris, and Donna Harris Appellants,
v.
Perry W. Barbour, Respondent.

**DESIGNATION OF MATTER TO BE
INCLUDED IN THE RECORD ON APPEAL**

Respondent proposes the following to be included in the Record on Appeal:

1. Order Dismissing Case in Luther Harris, et al. v. Perry Wendell Barbour, et al. 2019-CP-42-02092, dated March 10, 2020
2. Notice of Appeal in Luther Harris, et al. v. Perry Wendall Barbour, et al. 2019-CP-42-02092, dated August 3, 2020
3. Order of Default and Order for Hearing to Ascertain Damages, filed November 12, 2020
4. Order of Default and Order for Hearing to Ascertain Damages, filed December 16, 2020
5. Certificate of Service, filed Devenber 17, 2020
6. Order Granting Motion to Vacate Entry of Default, issued February 16, 2021
7. Order Denying Appellant's Motion for Reconsideration, issued March 9, 2021
8. Summons and Complaint, Luther Harris, et al. v. Perry Wendall Barbour, et al., dated June 7, 2019

9. Proof of Service upon Perry Wendell Barbour in Luther Harris, et al. v. Perry Wendell Barbour, et al.
 - Certified letter of SCDMV to Barbour
 - Envelopes from SCDMV – marked “Return to Sender”
10. Summons and Complaint, 2020-CP-11-00632, filed August 27, 2020
11. Affidavit of Default, filed November 10, 2020
12. Motion for Entry of Default and Exhibits, filed November 28, 2020
13. Respondent’s Motion to Vacate and Exhibits, filed February 11, 2021
14. Respondent’s Brief in Support of Motion to Set Aside Entry of Default, filed February 11, 2021
15. Respondent’s Answer, filed February 11, 2021
16. Appellants’ Response in Opposition to Respondent’s Motion to Set
17. Appellants’ Response in Opposition to Respondent’s Motion to Dismiss, filed February 26, 2020
18. Proof of Mailing to Wendell Barbour, filed February 16, 2021
19. Appellant’s Motion for Reconsideration of the Order Granting the Motion to Vacate and Motion to Dismiss and Exhibits, filed February 26, 2021
20. Notice of Appeal, dated March 11, 2021

June 9, 2021



David L. Moore
Turner, Padget, Graham & Laney, P.A.
P.O. Box 1509
Greenville, SC 29602
864-552-4625
dmoore@turnerpadget.com
Attorneys for Respondent Perry Barbour

RECEIVED

Jun 09 2021

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM CHEROKEE COUNTY
Court of Common Pleas

Letitia H. Verdin, Judge

Appellate Case No.: 2021-000269
C.A. Case No.: 2020-CP-11-00632

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

Perry W. Barbour Respondents.

PROOF OF SERVICE

Pursuant to Supreme Court of South Carolina’s Amended Order 2020-05-29-02, I am filing a copy of the Brief of Respondents upon the Honorable Jenny Abbott-Kitchings, Clerk of Court of South Carolina Court of Appeals through e-mail and serving a copy of the same upon Appellants, by and through Mr. Donald L. Smith, Esquire, by email through the following addresses:

Honorable Jenny Abbott-Kitchings ctappfilings@sccourts.org
Mr. Donald L. Smith, Esq. attorneydonaldsmith@gmail.com

s/David L. Moore, Jr.
David L. Moore, Jr. (SC Bar No.: 4050)
TURNER PADGET
Post Office Box 1509
Greenville, South Carolina 29602
Telephone: 864-552-4625
Facsimile: 864-282-5966
Email: DMoore@turnerpadget.com
ATTORNEY FOR RESPONDENTS

Greenville, South Carolina
Date: June 9, 2021

REPLY TO:
David L. Moore, Jr.
E-Mail: DMoore@turnerpadget.com
Writer's Direct Dial: 864-552-4625
Writer's Direct Fax: 864-282-5966

June 9, 2021

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

RECEIVED

Jun 09 2021

SC Court of Appeals

Re: Luther Harris, Donna Harris and Bobby Leopard vs.
Perry Wendell Barbour and Southland Transportation Co.
C.A. No.: 2019-CP-11-00632
Appellate Case No. 2020-000269
TP File No.: 00472.01050

Dear Ms. Kitchings:

Please find enclosed the following documents for filing in the above-captioned appealed case:

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

Sincerely,

/s/ David L. Moore, Jr.
David L. Moore, Jr. (SC Bar No. 4050)
Attorney for Respondents
Post Office Box 1509
Greenville, South Carolina 29602
Telephone: 864-552-4625
Facsimile: 864-282-5966
Email: DMoore@turnerpadget.com

DLM/klb
Enclosures

Cc: Mr. Donald L. Smith, Esq.