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Jul 21 2021

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM LEXINGTON COUNTY
Court of Common Pleas
Alison Renee Lee, Presiding Judge

Case No. 2016-CP-32-01385

Appellate Case No. 2018-002157

Richie D. Barnes,..... Respondent,

v.

James Reese,..... Appellant.

MOTION TO SUPPLEMENT RECORD ON APPEAL

Respondent, Richie D. Barnes, hereby moves to supplement the Record on Appeal, as a consequence of the failure of Appellant, James Reese, to include all of the documents designated in Respondent’s Designation of Matter to be Included in the Record on Appeal, filed on April 20, 2020.

Respondent requested that the “Contractor’s Repair Estimate” and the “Summary of Actual Damages” be included in the Record on Appeal, but Appellant failed to include them.

Attached is a copy of the said Respondent’s Designation of Matter to be Included in the Record on Appeal along with copies of the “Contractor’s Repair Estimate” and the “Summary of Actual Damages.”

Respondent requests that he be authorized to issue and file a Supplemental Record on Appeal and that he be afforded until the latter of August 10, 2021 (current deadline to file Respondent's Final Brief), and ten (10) days after the issuance of an Order resolving this Motion to file both the Supplemental Record on Appeal and the Respondent's Final Brief.

s/Leonard R. Jordan, Jr.

Leonard R. Jordan, Jr., #3221

JORDAN LAW FIRM

211 Veterans Road, Suite D

Columbia, South Carolina 29209

(803) 726-1950 Tel

(803) 726-1951 Fax

ljordan@ljordanlaw.com

Attorney for Respondent

Columbia, South Carolina
July 20, 2021

THE STATE OF SOUTH CAROLINA
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Alison Renee Lee, Presiding Judge

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RESPONDENT'S DESIGNATION OF MATTER TO BE
INCLUDED IN THE RECORD ON APPEAL

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

ORDERS

1. Order Granting Plaintiff's Motion for Partial Summary Judgment filed on February 15, 2018.
2. Form 4 Order (Relieving Counsel) filed on July 17, 2018
3. Verdict filed on November 8, 2018
4. Form 4 Order (Jury Verdict/Judgment) filed on November 8, 2018

PLEADINGS

5. Amended Complaint filed on October 16, 2017
6. Reply filed on November 15, 2017
7. Notice of Appeal filed on December 7, 2018

TRIAL EXHIBITS

8. Residential Lease dated March 9, 2013

9. Contractor's Repair Estimate
10. Summary of Actual Damages
11. Judge's Notes

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



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JORDAN LAW FIRM
211 Veterans Road, Suite D
Columbia, South Carolina 29209
(803) 726-1950 Tel
(803) 726-1951 Fax
ljordan@ljordanlaw.com
Attorney for Respondent

April 16, 2020



Full House Repairs & Renovations Co.

Estimate

216 Luther Road
Columbia, SC 29210-6006
803-606-7207 803-754-5850

Phone # 803-754-5850
Fax # 803-754-5045

fullhouserepairs@yahoo.com
www.fullhouserepairs.com

Date	Estimate #
4/17/2018	S3081

Name / Address

Richie Barnes
41 Cantybury Ct
Columbia, SC 29210

Ship To

Richie Barnes
41 Cantybury Ct
Columbia, SC 29210

P.O. No.	Terms	Invoice #	Job Address
	See Below		

Item	Description	Qty	U/M	Cost	Total
Master Bathroom	Remove and replace commode, vinyl floor covering, vanity cabinet, top and faucet, replace tub, replace medicine cabinet, install toilet paper holder and towel bar and mirror. Install base board and shoe mold. Allowance for commode \$145.00, vanity cabinet, faucet, top \$500.00, mirror, towel bar, toilet paper holder \$175.00, vinyl floor covering \$1.25 sqft. 96 sqft., tub and surround \$650.00, baseboard and shoe mold \$60.00	1		3,260.00	3,260.00
Painting/Repairs	Repair all holes in walls, prep and paint all wall door trim, doors, base board, shoe mold. Contractor will furnish all material. Owner will select color.	1		3,000.00	3,000.00
Door	Remove and replace four interior doors, 6 panel door unit. Contractor will furnish material.	4		760.00	3,040.00
Ceiling	Remove all ceiling texture, make necessary repairs, make smooth, paint. approx. 1200 sqft. Contractor will furnish all material.	1		4,200.00	4,200.00
Floor Covering	Remove all carpet and pad, install carpet and pad in three bed rooms, approx. 475 sqft. Allowance for carpet \$1.30 sqft, pad \$.65 sqft.	1		2,333.00	2,333.00

License Number # G111989	Subtotal
	Total

Signature

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EXHIBIT

#9

11-5-18

2016 P27-125

Full House Repairs & Renovations Co.

Estimate

216 Luther Road
Columbia, SC 29210-6006
803-606-7207 803-754-5850

Phone # 803-754-5850
Fax # 803-754-5045

fullhourepairst@yahoo.com
www.fullhourepairst.com

Date	Estimate #
4/17/2018	S3081

Name / Address
Richie Barnes 41 Cantybury Ct. Columbia, SC 29210

Ship To
Richie Barnes 41 Cantybury Ct Columbia, SC 29210

P.O. No.	Terms	Account #	Job Address
	See Below		

Item	Description	Qty	U/M	Cost	Total
Floor Covering	Bathrooms: Install luan underlayment, install vinyl floor covering, shoe mold. Allowance for vinyl floor covering \$1.25 sqft.	1		225.00	225.00
Floor Covering	Hallway/livingroom: Install padding and Lamine floor covering, shoe mold. Allowance for Lamine floor covering, \$1.99 sqft, pad, \$40.00 per roll. Approx. 600 sqft.	1		2,555.00	2,555.00
Floor Covering	Kitchen: Install cement board, install ceramic floor tile, grout for completion. Allowance for ceramic tile. \$1.45 sqft.	1		687.50	687.50
Hall Bath	Remove and replace vanity, top, faucet, commode, a/c register, install exhaust fan, lockset, mirror, medicine cabinet, seal and paint wall paper. Allowance for commode \$145.00, vanity, faucet, top \$350.00	1		685.00	685.00
Laundry Room	Remove and replace floor covering, sub floor, install new sub floor, luan underlayment, install vinyl floor covering, shoe mold. Allowance for vinyl floor covering \$1.25 sqft. Contractor will furnish all construction material.	1		1,200.00	1,200.00

License Number # G111989	Subtotal
	Total

Signature

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Estimate

216 Luther Road
Columbia, SC 29210-6006
803-606-7207 803-754-5850

Phone # 803-754-5850 fullhousetrepairs@yahoo.com
Fax # 803-754-5045 www.fullhousetrepairs.com

Date	Estimate #
4/17/2018	S3081

Name / Address
Richie Barnes 41 Canterbury Ct Columbia, SC 29210

Ship To
Richie Barnes 41 Canterbury Ct Columbia, SC 29210

P.O. No.	Terms	Account #	Job Address
	See Below		

Item	Description	Qty	U/M	Cost	Total
Kitchen	Remove all counter top, sink, cabinetry, install new appliances, microwave over range, install granite counter top, undermount stain steel sink, paint grade cabinetry, Install cabinet knobs, paint cabinetry, reconnect plumbing. Allowance for cabinetry, \$3500.00, Allowance for granite counter top \$35.00 sqft. stainless steel sink \$200.00, allowance for range \$900.00, microwave \$240.00, range \$550.00			10,590.00	10,590.00
Sliding Door	Remove and replace sliding door, make weather tight, install trim exterior/interior. Allowance for door \$700.00.			1,350.00	1,350.00
Electrical	Remove and replace light fixture, install ceiling fans in bed room, install four recess light fixtures in kitchen, pendent fixture over sink, GFIC in kitchen and bathrooms, four smoke detectors, install two exterior security light fixtures. Allowance for ceiling fan \$75.00 each. Light fixture \$30.00 Contractor will furnish all other material.	1		1,560.00	1,560.00
Exterior	Repair damage at chimney, replace missing or water damaged brick mold, contractor will furnish material	1		350.00	350.00

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Phone # 803-754-5850 fullhourepaire@yahoo.com
Fax # 803-754-5045 www.fullhourepaire.com

Date	Estimate #
4/17/2018	S3081

Name / Address
 Richie Barnes
 41 Canterbury Ct
 Columbia, SC 29210

Ship To
 Richie Barnes
 41 Canterbury Ct
 Columbia, SC 29210

P.O. No.	Terms	Access #	Job Address
	See Below		

Item	Description	Qty	U/M	Cost	Total
Exterior Painti...	Wash exterior, paint all paintable surface. No color change, contractor will furnish material.	1		2,800.00	2,800.00
Deck	Make necessary repairs, secure the deck, paint. Contractor will furnish material.	1		300.00	300.00
Insulation	Remove all debris and insulation from crawl space, install R-19 insulation. Contractor will furnish material.	1		1,800.00	1,800.00
Gutter	Back exterior only: Remove and replace gutter and downspouts with seamless gutter. Contractor will furnish material.	1		1,600.00	1,600.00
Haul Away	Construction container, landfill fee	1		350.00	350.00
Window	Remove and replace windows with vinyl replacement double hung, white, double pane, no grid, full screen.	9		375.00	3,375.00
Terms	Contractor will furnish all labor, material, equipment to complete job. 50% downpayment on the first day job start, 30% of the project is complete, 20% full upon completion.			0.00	0.00
Proposal	Mastercard, Visa, American Express Are Accepted. 3% fee if using a credit card. We propose to furnish labor, materials (unless stated above) and equipment to complete the			0.00	0.00

License Number # G111989	Subtotal
	Total

Signature

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Page 4

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fullhouser repairs@yahoo.com
www.fullhouser repairs.com

Date	Estimate #
4/17/2018	S3081

Name / Address
Richie Barnes 41 Cantybury Ct Columbia, SC 29210

Ship To
Richie Barnes 41 Cantybury Ct Columbia, SC 29210

P.O. No.	Terms	Account #	Job Address
	See Below		

Item	Description	Qty	U/M	Cost	Total
	<p>job in accordance with above specifications. All materials are guaranteed by manufacturer, one year warranty on workmanship from date job is completed. Full House Repairs & Renovations Company is not responsible or liable for losses due to acts of nature, thief vandalism or fire. All work is to be completed in a workmanlike manner according to standard practices. Any alteration from above specifications involving additions cost will be executed only upon written order and will become an additional charge over the above estimate. All agreements contingent upon strikes, accidents, acts of nature or delays that are beyond our control.</p> <p>Acceptance of Proposal. The above prices, specifications and conditions are satisfactory and are hereby accepted. By signing this agreement you have authorized Full House Repairs & Renovations Company to do the work as specified above. You have also agreed to make payment as shown above.</p> <p>Date of Acceptance _____</p>				

License Number # G111989	Subtotal
	Total

Signature

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Full House Repairs & Renovations Co.

Estimate

216 Luther Road
Columbia, SC 29210-6006
803-606-7207 803-754-5850

Phone # 803-754-5850 fullhousethouserepairs@yahoo.com
Fax # 803-754-5045 www.fullhousethouserepairs.com

Date	Estimate #
4/17/2018	S3081

Name / Address
Richie Barnes 41 Cantybury Ct Columbia, SC 29210

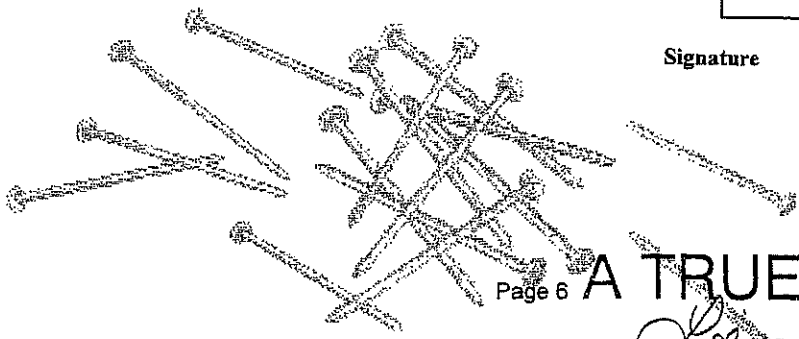
Ship To
Richie Barnes 41 Cantybury Ct Columbia, SC 29210

P.O. No.	Terms	Account #	Job Address
	See Below		

Item	Description	Qty	U/M	Cost	Total
	Signature _____ Authorized Company Signature _____ This proposal may be withdrawn if not accepted within 30 days.				

License Number # G111989	Subtotal
	Total

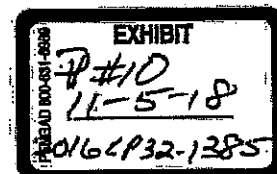
Signature



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Past-due Rent (\$700.00/month) for 25 months (February 2016 - February 2018)	\$ 17,500.00
Late Charges (\$100.00/month) for 25 months (February 2016 - February 2018)	\$ 2,500.00
Reasonable Attorney's Fees (and Costs) billed through October 30, 2018	\$ 18,036.36
Unbilled Attorney's Fees (conservative estimate for trial preparation and trial - services after October 30, 2018)	\$ 2,000.00
Holdover Tenant Penalty (3 additional months of Rent)	\$ 2,100.00
Damages to Property (based upon Contractor's Estimate)	\$ 45,260.50
Less: Security Deposit	\$ (1,400.00)
Additional Rent for Time to Make Repairs (3 months)	<u>\$ 2,100.00</u>
TOTAL	\$ 88,096.86



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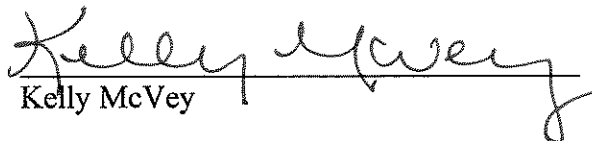
Case No. 2016-CP-32-01385

Appellate Case No. 2018-002157

CERTIFICATE OF MAILING

I, Kelly McVey, of Jordan Law Firm, attorney for the Respondent, Richie D. Barnes, hereby certify that I have, this 21st day of July, 2021, served a copy of the attached Motion to Supplement Record on Appeal upon James Reese, Appellant, by mailing a copy thereof to him, postage prepaid, to the address indicated below:

Mr. James Reese
717 Cindy Drive
Columbia, SC 29203


Kelly McVey