

ORIGINAL

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM BEAUFORT COUNTY
Court of Common Pleas

Marvin H. Dukes, III, Master-in-Equity

Civil Action No. 2007-CP-07-3212
Appellate Case No. 2013-000647

H. Marshall Hoyler.....Appellant,

v.

The State of South Carolina
Merry Land Properties, LLC and
Nancy Deering Carey.....Respondents.

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

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APR 15 2013

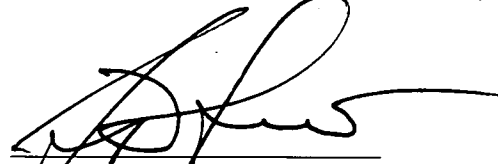
Appellant proposes the following be included in the Record on Appeal:

SC Court of Appeals

1. Complaint filed November 8, 2007;
2. Order for Joinder of Parties, filed March 17, 2011;
3. Order, filed February 15, 2013;
4. Motion to Reconsider, Rehear, Alter or Amend Judgment, filed April 8, 2012;
5. Argument and Case Law Presented to Court on February 15, 2013; and
6. Transcript of Proceedings on January 31, 2011, p. 1, p. 5, p. 6, p. 15, p. 16, p. 19, p. 22, p. 23, p. 54.

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I certify that this Designation contains no matter which is irrelevant to this Appeal.



Jefferson D. Griffith, III, S.C. Bar No.: 2299

Richard L. Whitt, S.C. Bar No.: 62895

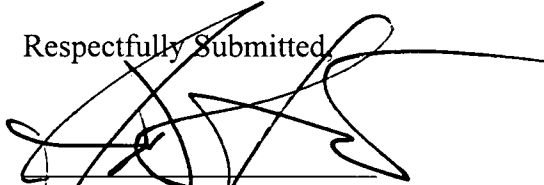
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Respectfully Submitted,



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Attorneys for Appellant

April 11, 2013

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PROOF OF SERVICE

I, Carrie A. Schurg, an employee of Austin & Rogers, P.A., certify that I have caused a copy of Appellant's Initial Brief, Designation of Matter to be Included in the Record on Appeal and this Proof of Service, to be served, via U.S. Mail, on April 15, 2013, as addressed below.

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Columbia, South Carolina 29201

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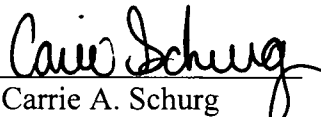
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SC Court of Appeals

Proof of Service
April 15, 2013
Page 2 of 2


Carrie A. Schurg

April 15, 2013
Columbia, South Carolina

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April 15, 2013

VIA, HAND-DELIVERY

The Honorable Jenny Abbott Kitchings
Clerk of Court
South Carolina Court of Appeals
1015 Sumter Street
Columbia, South Carolina 29201

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SC Court of Appeals

- Re: • H. Marshall Hoyler v. The State of South Carolina, et. al.
• Appellate Case No.: 2013-000647
• **Appellant's Initial Brief and Designation of Matter**

Dear Ms. Kitchings:

Enclosed for filing please find the Initial Brief of Appellant, Designation of Matter and the Proof of Service, in the above-referenced matter.

Please accept these documents for filing and acknowledge receipt of the same by file-stamping the copies enclosed and returning them to me, via our courier. If you have any questions or need additional information, please don't hesitate to contact the undersigned. With best regards, I am,

Respectfully Submitted,
AUSTIN & ROGERS, P.A.



Jefferson D. Griffith, III
Richard L. Whitt

Enclosures

cc: J. Emory Smith, Jr., Esquire
Mary D. Shahid, Esquire
Alysoun M. Eversole, Esquire