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Oct 27 2021

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

APPEAL FROM CHARLESTON COUNTY COURT OF COMMON PLEAS

Court of Common Pleas

Jennifer B. McCoy, Circuit Judge

Irvin G. Condon, Probate Judge

Tamara C. Curry, Associate Probate Judge

Appellate Case No. 2021-001152

Court of Common Pleas Case No. 2020-CP-10-04036

Probate Court Case No. 2017-ES-10-01946

IN THE ESTATE OF ROY E. MEVERS, JR.,

SOUTH CAROLINA ATTORNEY GENERAL,

Respondent,

versus

MINNIE LEE NEWMAN-MEVERS,

Appellant,

versus

J. JAMES DUGGAN, as Special Administrator of the Estate of Roy E. Mevers, Jr.,

Respondent.

**APPELLANT'S DESIGNATION OF MATTER
TO BE INCLUDED IN RECORD ON APPEAL**

Appellant designates the following to be included in the Record on Appeal:

Filings in Probate Court Case No. 2017-ES-10-01946:

- (1) South Carolina Attorney General's Summons and Verified Petition to Re-Open Estate filed on March 13, 2020 with Exhibits A-I.
- (2) South Carolina Attorney General's Motion for Temporary Restraining Order filed on March 13, 2020.

- (3) Letter from Stephen L. Brown to The Honorable Irvin G. Condon filed on March 13, 2020.
- (4) Ex Parte Temporary Restraining Order of The Honorable Tamara C. Curry filed on March 13, 2020.
- (5) Certificate of Appointment of Special Administrator filed on March 13, 2020.
- (6) Notice of Hearing dated March 13, 2020.
- (7) Memorandum of Law in Opposition to Motion for Temporary Restraining Order filed on March 20, 2020.
- (8) Affidavit of H. Christopher Moss filed on March 20, 2020.
- (9) Affidavit of Jessica M. Wentworth filed on March 20, 2020.
- (10) Transcript of Hearing before The Honorable Irvin G. Condon on March 23, 2020, all pages.
- (11) Exhibit of correspondence provided by Minnie Lee Newman-Mevers to The Honorable Irvin G. Condon at hearing on March 23, 2020.
- (12) Internal Revenue Service Notice dated March 12, 2018.
- (13) Secretary of State status page regarding The 'Sonny Mevers' Foundation.
- (14) Affidavits of Service filed on April 3, 2020.
- (15) Minnie Lee Newman-Mevers's Summons and Verified Return to Petition and Counterclaims, Cross-Claims, and Third-Party Claims filed on April 10, 2020.
- (16) Special Administrator's Reply to Petition and Counterclaims, Cross-Claims, and Third-Party Claims dated May 4, 2020.
- (17) South Carolina Attorney General's Reply to Return to Petition and Answer to Cross-Claims and Third-Party Claims dated May 8, 2020.
- (18) Notice of Demand for Jury Trial filed on May 12, 2020.
- (19) Notice of Removal and Motion to Remove Action to Circuit Court filed on May 12, 2020.
- (20) Order of The Honorable Irvin G. Condon Granting Temporary Injunction filed on June 29, 2020.
- (21) Motion to Alter, Amend, and/or Vacate Order filed on July 10, 2020 with Exhibit A.
- (22) Special Administrator's Reply to Respondent's Motion to Alter, Amend, and/or Vacate Order dated August 19, 2020.
- (23) South Carolina Attorney General's Request to Deny Rule 59(e) Motion and Consent Without Waiver of Rights to Respondent's Notice of Removal filed on August 19, 2020.
- (24) Motion to Vacate Order filed on August 28, 2020.
- (25) Letter from Daniel F. Blanchard, III to The Honorable Irvin G. Condon dated August 28, 2020.
- (26) Order of The Honorable Irvin G. Condon Denying Motion to Alter, Amend, and Vacate Order and Order Granting Motion for Removal to Circuit Court filed on September 10, 2020.
- (27) Notice of Intent to Appeal to the Circuit Court filed in Probate Court on September 11, 2020.
- (28) Application for Informal Probate filed on November 13, 2017.
- (29) Motion to Substitute as Counsel by Jessica Wentworth filed on December 12, 2017.

- (30) Motion to Withdraw as Counsel by Irvin Slotchiver filed on November 14, 2017 and Order Granting Motion filed on December 19, 2017.
- (31) Amended Inventory and Appraisal filed on May 25, 2018.
- (32) Proposal for Distribution filed on November 21, 2018.
- (33) Notice of Right to Demand Hearing filed on November 21, 2018.
- (34) Final Accounting filed on November 30, 2018.
- (35) Application for Settlement filed on November 30, 2018.
- (36) Order Closing Estate filed on December 31, 2018.

Filings in Court of Common Pleas Case No. 2020-CP-10-04036:

- (37) Notice of Intent to Appeal to the Circuit Court filed in Circuit Court on September 11, 2020.
- (38) Appellant's Statement of Issues on Appeal filed on October 16, 2020.
- (39) Brief of Appellant filed on November 20, 2020.
- (40) Brief of Respondent South Carolina Attorney General filed on January 20, 2021.
- (41) Reply Brief of Appellant filed on February 1, 2021.
- (42) Letter from Daniel F. Blanchard, III with Supplemental Citation filed on March 23, 2021.
- (43) Letter from Stephen L. Brown to The Honorable Jennifer B. McCoy dated March 30, 2021.
- (44) E-mail from K. Brooke Stone, Administrative Assistant to The Honorable Jennifer B. McCoy, dated March 31, 2021.
- (45) Order Affirming Probate Court's Orders filed on September 10, 2021.
- (46) Notice of Appeal to South Carolina Court of Appeals filed on October 8, 2021.

Filings in Court of Common Pleas Case No. 2020-CP-10-04089:

- (47) Order Removing Action to Circuit Court filed on September 15, 2020.
- (48) South Carolina Attorney General's Verified Motion for Continuance of the Temporary Injunction Issued by Probate Court or, in the Alternative, Issuance of a Temporary Injunction filed on September 16, 2020 with Exhibits A-K.
- (49) Memorandum of Law in Opposition to Motion for Temporary Restraining Order filed on September 21, 2020 with Exhibits 1-7.
- (50) Order of The Honorable Bentley D. Price filed September 22, 2020 Denying Motion for Temporary Restraining Order filed on September 22, 2020.

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

Respectfully submitted,

ROSEN HAGOOD, LLC

By: /s/ Daniel F. Blanchard, III
Daniel F. Blanchard, III
151 Meeting Street, Suite 400
Charleston, SC 29401
(843) 577-6726

October 27, 2021.

ATTORNEYS FOR APPELLANT

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J. JAMES DUGGAN, as Special Administrator of the Estate of Roy E. Mevers, Jr.,

Respondent.

PROOF OF SERVICE

I certify that I have served the Initial Brief of Appellant and Appellant's Designation of Matter to be Included in Record on Appeal on the Respondents by mailing copies to their attorneys of record on October 27, 2021, by United States first-class mail, with sufficient postage affixed thereto, and addressed as follows:

Alan Wilson, South Carolina Attorney General
W. Jeffrey Young, Chief Deputy Attorney General
Robert D. Cook, Solicitor General
C. Havird Jones, Senior Assistant Deputy Attorney General
Kristin M. Simons, Assistant Attorney General
Mary Frances G. Jowers, Assistant Deputy Attorney General
South Carolina Attorney General's Office
Post Office Box 11549
Columbia, South Carolina 29211

C. Michael Branham, Esquire
Stephen L. Brown, Esquire
Clement Rivers, LLC
Post Office Box 993
Charleston, South Carolina 29402

J. James Duggan, Esquire
Special Administrator of the Estate of Roy E. Mevers, Jr.
Duggan Law Firm, LLC
44 Markfield Drive, Suite E
Charleston, SC 29407

ROSEN HAGOOD, LLC

By: /s/ Daniel F. Blanchard, III
Daniel F. Blanchard, III, Esquire
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SC Court of Appeals

ROSEN | HAGOOD

DANIEL F. BLANCHARD III
dblanchard@rosenhagood.com

October 27, 2021

VIA ELECTRONIC FILING:

The Honorable Jenny Abbott Kitchings
Clerk of Court
South Carolina Court of Appeals
P.O. Box 11629
Columbia, SC 29211

Re: In re Estate of Roy E. Mevers, Jr.
South Carolina Attorney General v. Minnie Lee Newman Mevers
Appellate Case No. 2021-001152

Dear Ms. Kitchings:

Please find enclosed for electronic filing the following:

1. Initial Brief of Appellant,
2. Appellant's Designation of Matter to be Included in Record on Appeal, and
3. Proof of Service.

We would greatly appreciate your filing these on our behalf and returning clocked-in copies to us.

With best regards, I am

Sincerely,



Daniel F. Blanchard, III

DFB/db

Encls.

cc: Alan Wilson, South Carolina Attorney General (w/ encls.)
W. Jeffrey Young, Chief Deputy Attorney General (w/ encls.)
Robert D. Cook, Solicitor General (w/ encls.)
C. Havird Jones, Senior Assistant Deputy Attorney General (w/ encls.)
Kristin M. Simons, Assistant Attorney General (w/ encls.)
Mary Frances G. Jowers, Assistant Deputy Attorney General (w/ encls.)
Stephen L. Brown, Esquire (w/ encls.)
C. Michael Branham, Esquire (w/ encls.)
J. James Duggan, Esquire (w/ encls.)