

THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

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FEB 25 2013

APPEAL FROM CHESTER COUNTY
Court of Common Pleas

SC Court of Appeals

Brooks P. Goldsmith, Circuit Court Judge

Case No. 2011-CP-12-0323

Mell Woods Appellant,

v.

John D. Hinson; Christine Jones; John C. Hinson; Kathy Huffstickle;
Charles J. Hinson; William L. Hinson; Lois Hinson; Robert Breakfield,
as Personal Representative of the Estate of Reba P. Hinson;
Elaine H. Hensley; Robert H. Hinson; George Stanford, as Personal
Representative of the Estate of Linda H. Stanford; William C.
Hinson, Jr.; Darrell W. Hinson; Mary Roe and John Doe, fictitious names
used to designate all other parties, whose names are unknown, and any and all
other persons claiming any right, title, estate interest or lien upon the
real estate described in the complaint; Respondents.

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

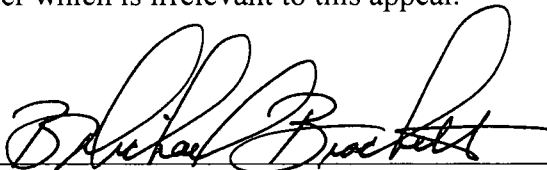
Respondents object to Appellant's Designation of the entire circuit court file and the entire Reba Hinson estate file. Every sheet of paper in the circuit court file and in the probate court file cannot possibly be relevant to the appeal. Appellant's designation and his certification are not in compliance with Rule 209, SCACR.

Reserving the above-stated objection, Respondents designate the following particular documents to be included in the Record on Appeal:

1. Complaint dated June 22, 2011, including Exhibit A (plat);
2. Answer and Counterclaim dated August 25, 2011;
3. Respondents' Motion for Summary Judgment;
4. Robert Breakfield, as personal representative, Affidavit dated August 24, 2011;
5. Exhibits to Breakfield Affidavit:
 - A. Levie Hinson Last Will and Testament dated April 21, 1977;
 - B. Lease Agreement between Appellant and Reba Hinson dated May 6, 2002;
 - C. Chester County Probate Court Order dated October 15, 2007 in the Levie Hinson Estate;
 - D. Chester County tax records for Reba Hinson land, six pages;
6. Appellant's Response to Defendants' Motion for Summary Judgment, dated September 28, 2011 - 7 pages, including Exhibit A;
7. Joint Transcript of November 9, 2011 hearings in case nos. 2010-CP-12-0595 and 2011-CP-12-0323;
8. Circuit Court Order dated December 29, 2011 granting Respondents' motion for summary judgment;
9. Appellant's Rule 59(e) Motion for Reconsideration dated January 14, 2012;
10. Respondents' Amended Return to Motion for Reconsideration dated March 13, 2012;
11. Brackett letter to Appellant dated March 5, 2012;
12. Order dated April 23, 2012 denying Appellant's Motion for Reconsideration;

13. Appellant's deposition transcript in case no. 2010-CP-12-0595;

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

A handwritten signature in black ink, appearing to read "B. Michael Brackett", written over a horizontal line.

B. Michael Brackett
Moses & Brackett, PC
P. O. Box 100261
Columbia, SC 29202
803.461.2312
Attorney for Respondents

February 25, 2013

STATE OF SOUTH CAROLINA
COUNTY OF CHESTER

IN THE COURT OF COMMON PLEAS
2011-CP-12-0323

Mell Woods,

Plaintiff,

v.

John D. Hinson; Christine Jones; John C. Hinson; Kathy Huffstickle; Charles J. Hinson; William L. Hinson; Lois Hinson; Robert Breakfield, as Personal Representative of the Estate of Reba P. Hinson; Elaline H. Hensley; Robert H. Hinson; George Stanford, as Personal Representative of the Estate Linda H. Stanford; William C. Hinson, Jr.; Darrell W. Hinson; Mary Roe and John Doe, fictitious names used to designate all other parties, whose names are unknown, and any and all other persons claiming any right, title, estate interest or lien upon the real estate described in the complaint;

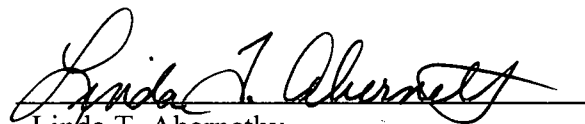
Defendants.

CERTIFICATE OF SERVICE

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SC Court of Appeals

I, Linda T. Abernethy, Legal Assistant to B. Michael Brackett, Esquire, attorney for the Defendants in the above-captioned matter, do hereby certify that I have served Plaintiff, pro se with a copy of **Respondents' Designation of Matter to be included in the Record on Appeal** by United States Mail, postage prepaid and return address clearly indicated on said envelope, on this 25th day of February, 2013 at the following address:

Mell Woods
P. O. Box 2603
Lancaster, SC 29721
Plaintiff, pro se


Linda T. Abernethy

MOSES & BRACKETT, PC

ATTORNEYS AND COUNSELORS AT LAW

1333 Main Street, Suite 650 (29201)
Post Office Box 100261
Columbia, South Carolina 29202-3261

Telephone (803) 461-2300
Facsimile (803) 461-2309

B. Michael Brackett
Direct Dial: (803) 461-2312
Email: mbrackett@mkb-law.com

February 25, 2013

VIA HAND DELIVERY

The Honorable Jenny Abbott Kitchings
Clerk of Court
S.C. Court of Appeals
1015 Sumter Street
Columbia, SC 29201

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SC Court of Appeals

Re: Woods v. Hinson, et. al.
2011-CP-12-323
Appellate Case No. 2012-212330
MB File No.: 12085.4

Dear Ms. Kitchings:

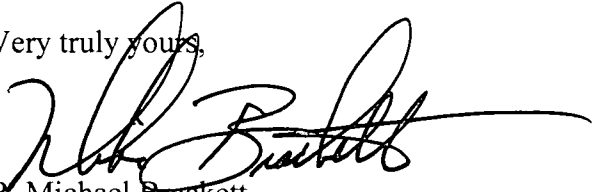
Enclosed for filing please find the following:

- 1) Respondents' Initial Brief;
- 2) Respondents' Designation of Matter to be included in the Record on Appeal; and
- 3) Proof of Service.

By copy of this letter, copies of the enclosures are being served on the Appellant, personally, who is appearing pro se.

Please allow our courier to return with clocked copies of the face page of each enclosure.

Very truly yours,


B. Michael Brackett

BMB/Ita
Enclosures

cc. Robert H. Breakfield, Esquire (U.S. Mail)
Mell Woods (U.S. Mail)

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