

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM SUMTER COUNTY
Court of Common Pleas

Richard L. Booth, Master-in-Equity

Common Pleas Case No. 2009-CP-43-2538
Appellate Case No. 2013-000255

RECEIVED

MAY 08 2013

SC Court of Appeals

First Citizens Bank and Trust Company, Inc.,.....Respondent,

v.

Charles T. Brooks, III and the South Carolina Department of Revenue, Defendants,

Of Whom Charles T. Brooks, III, is.....Appellant.

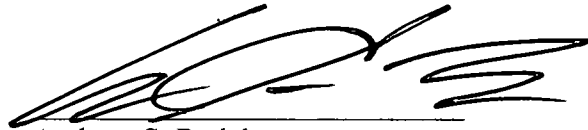
DESIGNATION OF MATTER
TO BE INCLUDED IN THE RECORD ON APPEAL

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

1. Order filed January 23, 2013;
2. Summons and Complaint;
3. Answer;
4. Motion for Summary Judgment, with attached affidavit of Davies and its exhibits; and
5. Affidavit of Charles T. Brooks, III.

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

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'A. S. Radeker', written over a horizontal line.

Andrew S. Radeker
Harrison & Radeker, P.A.
Post Office Box 50143
Columbia, South Carolina 29250
(803) 779-2211
Attorney for Appellant

May 8, 2013

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PROOF OF SERVICE

I certify that I served the foregoing designation of matter to be included in record on appeal on the Respondent by depositing a copy of it on the date shown below in the United States Mail, postage prepaid, addressed as follows:

Damon C. Włodarczyk, Esq.
Riley Pope & Laney, LLC
P.O. Box 11412
Columbia, SC 29211

May 8, 2013

Respectfully submitted,



Andrew S. Radeker
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Post Office Box 50143
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May 8, 2013

VIA HAND DELIVERY

The Hon. Jenny Abbott Kitchings
Clerk of Court, Court of Appeals of South Carolina
Edgar Brown Building
1205 Pendleton Street
Columbia, South Carolina 29201

RE: First Citizens Bank v. Charles T. Brooks, III
Common Pleas Case No. 2009-CP-43-2538
Appellate Case No. 2013-000255

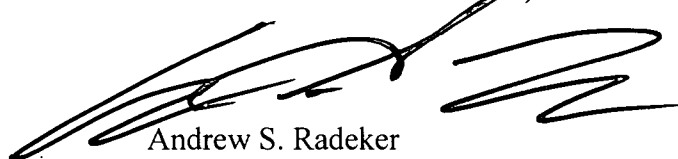
Dear Ms. Kitchings:

Enclosed herewith for filing in the above-referenced case are an original and one copy of the appellant's initial brief and designation of matter to be included in the record on appeal, with attached proof of service thereof.

Kindly file these documents and return a file-stamped copy thereof to the bearer of this letter. Of course, if you or your staff have any questions or concerns, please do not hesitate to contact me.

With kind regards, I am,

Very truly yours,
HARRISON & RADEKER, P.A.



Andrew S. Radeker

ASR/

Enclosures

cc: Charles T. Brooks, III, Esq.
Damon C. Włodarczyk, Esq.

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