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Jun 01 2022

SC Court of Appeals

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

APPEAL FROM BEAUFORT COUNTY
COURT OF COMMON PLEAS
CARMEN T. MULLEN, CIRCUIT COURT JUDGE

Appellate Case No. 2021-001337
Trial Court Case Nos. 2016-CP-07-01919, 2019-CP-07-01253 and 2019-CP-07-01294

In re: IN THE MATTER OF: Estate of Paul Brandon Barringer II

Hampton Barringer Luzak,Appellant,

v.

Merrill B. Light, Merrill U. Barringer, as Personal Representative of the Estate of Paul Brandon Barringer II, J. Randolph Light Jr., Merrill B. Light as Putative Trustee of the Paul B. Barringer II Revocable Trust dated December 4, 1998, and Merrill B. Light as Trustee of the Merrill Barringer Light Revocable Trust, Defendants.

Of whom

Merrill B. Light, Merrill U. Barringer, as Personal Representative of the Estate Of Paul Brandon Barringer II, Merrill B. Light as Putative Trustee of the Paul B. Barringer II Revocable Trust dated December 4, 1998, And Merrill B. Light as Trustee of the Merrill Barringer Light Revocable Trust, are Respondents,

--and--

Hampton B. Luzak,Appellant,

v.

Merrill U. Barringer,Respondent.

APPELLANT’S DESIGNATIONS FOR SUPPLEMENTAL NOTICE OF APPEAL

Pursuant to Rule 209, SCACR, Appellant proposes the following be included in the Supplemental Record on Appeal arising from the Supplemental Notice of Appeal filed June 1, 2022. Unless otherwise stated, all items designated include exhibits and exclude proof of service, cover sheets, motion forms, and notices. Appellant reserves the right to include additional designations in connection with her initial reply brief or otherwise.

The designations contained herein are in addition to materials already pending before this Court in the Record on Appeal in the instant case filed on May 25, 2022.

Appellant notes the original Record on Appeal in the instant case was filed on May 25, 2022. These designations (and any of Respondent) will be included in a Supplemental Record on Appeal for Appellate Case No. 2021-001337.

ORDERS

1. Order Granting Motion to Bifurcate filed December 30, 2020
2. Form 4 Order denying Motion to Reconsider Order to Bifurcate filed January 14, 2021
3. Supreme Court Order filed April 29, 2022

PLEADINGS

4. Summons and Complaint (1253) filed May 28, 2019¹
5. Removal from Probate Court filed June 4, 2019
6. Motion for Consolidation of actions under Rule 42(a) filed September 13, 2019
7. Joint Motion for Bifurcation filed October 23, 2020
8. Merrill Light Memorandum in Support of Joint Motion to Bifurcate filed November 6, 2020

¹ This document also appears in the ROA at pp. 359-514, but is designated here again for ease of reference.

9. Merrill Barringer Memorandum in Support of Joint Motion to Bifurcate filed November 6, 2020
10. Hampton Luzak Memo in Opposition to Motion to Bifurcate trial filed November 9, 2020²
11. Def. Supplemental Memo in Support of Joint Motion to Bifurcate trial filed November 16, 2020
12. Def. Second Supplemental Memo in Support of Joint Motion to Bifurcate trial filed December 3, 2020
13. Hampton Luzak Motion to Reconsider Order to Bifurcate and Memo in Support filed January 8, 2021
14. Notice of Appeal for Case No.: 2021-000837 filed August 5, 2021

TRANSCRIPTS

15. Bifurcation Hearing November 17-19, 2020

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

Respectfully submitted,

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² This document also appears at ROA pp. 3880-3888, but is included again here for ease of reference.

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ATTORNEYS FOR APPELLANT

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Of whom

Merrill B. Light, Merrill U. Barringer, as Personal Representative of the Estate Of Paul Brandon Barringer II, Merrill B. Light as Putative Trustee of the Paul B. Barringer II Revocable Trust dated December 4, 1998, And Merrill B. Light as Trustee of the Merrill Barringer Light Revocable Trust, are Respondents,

--and--

Hampton B. Luzak, Appellant,

v.

Merrill U. Barringer, Respondent.

PROOF OF SERVICE

I, Beth Cogan, an employee with Ballard & Watson, Attorneys at Law, do hereby certify that on June 1, 2022, I served a copy of the **Supplemental Notice of Appeal, Initial Brief of Appellant and Appellant's Designation of Matter** in the above-captioned case on the following individuals by electronic mail using their email address listed in the Attorney Information System, addressed as follows:

**Bijan Khaladj-Ghom, Esquire
Rosen Hagood LLC
bghom@rosenhagood.com**

**Alice Paylor, Esquire
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Beth Cogan, Paralegal

June 1, 2022
West Columbia, South Carolina

Beth Cogan

From: Beth Cogan
Sent: Wednesday, June 1, 2022 5:34 PM
To: Alice Paylor; Bijan Ghom; Charles Molster; Ensley Mahoney; Ashley Twombly; Lee Walters; Kevin Johnson; kjohnson@johnsonlawyers.com; Harley D. Ruff; Denise Collins; Andrea Smith
Cc: Desa Ballard; Bill Hogan; kathie@gilreathlaw.com; Alan Medlin, Esquire; Tom Traxler; 'Macloskie Law Firm'; 'Gilreath, Jim (Gilreath, Jim)'
Subject: (Luzak v. Barringer, et al. 2021-001337) Ltr to COA encl Supplemental NOA/AIB and DOM
Attachments: 2022 06 01 Ltr to COA encl Supplemental NOA, AIB and ADOM.pdf; 2022 05 31 Supplemental Notice of Appeal.pdf; A-2020 12 30 ORDER granting bifurcate motion.pdf; 2022 06 01 AIB Bifurcation order.pdf; 2022 06 01 A. DOM Bifurcation Supplemental Appeal.pdf; 2022 06 01 POS Supplemental NOA; AIB; DOM.pdf

Good afternoon,

Please see the attached Supplemental NOA, Initial Brief and Designation of Matter that is being filed today with the Court of Appeals.

Kindest Regards,

-Beth

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June 1, 2022

Via Email (ctappfilings@sccourts.org)
Honorable Jenny Abbott Kitchings
South Carolina Court of Appeals
Post Office Box 11629
Columbia, South Carolina 29211

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SC Court of Appeals

Re: *Hampton Barrington Luzak v. Merrill U. Barringer, et. al.*
Appellate Case No.: 2021-001337

Dear Ms. Kitchings:

Please find enclosed for filing a **Supplemental Notice of Appeal, Appellant's Initial Brief and Designation of Matter** in the above-referenced matter. Pursuant to paragraph (c) of the Supreme Court's administrative order dated August 25, 2021 ("Methods of Electronic Filing and Service Under Rule 262 of the South Carolina Appellate Court Rules") a check for the filing fee is being forwarded via US mail.

By copy of this letter and as evidenced by the Proof of Service, these filing has been served upon counsel for the Respondents. Thank you for your time in this matter. If you have any questions, please do not hesitate to contact our office.

With warm personal regards, I am,

Sincerely yours,

Desa Ballard

desab@desaballard.com

cc: Via Email
Alice Paylor, Esquire
Bijan Ghom, Esquire
Charles Molster, Esquire
J. Ashley Twombly, Esquire
Lee Anne Walters, Esquire
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