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SC Court of Appeals

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

APPEAL FROM ANDERSON COUNTY  
Court of Common Pleas

R. Scott Sprouse, Circuit Court Judge

J. Cordell Maddox, Jr., Circuit Court Judge

APPELLATE CASE NUMBER: 2022-000242  
TRIAL COURT CASE NUMBER: 2019-CP-04-00927

Joyce Porter and Edith Durham,.....Respondents.

V.

Jimmy L. Davis, Inc. and Jimmy L. Davis, Individually,.....Appellants.

DESIGNATION OF MATTERS  
TO BE INCLUDED IN THE  
RECORD ON APPEAL

Appellants propose the following be included in the Record on Appeal:

1. Summons and Complaint filed May 16, 2019.
2. Two affidavits of service filed June 3, 2019.
3. Motion for entry of default, affidavit of default, affidavit of non-military service, order of entry of default, and certificate of service filed on July 2, 2019.
4. Motion for default, affidavit of attorney's fees and costs, and certificate of service filed August 19, 2019.
5. Certificate of service for notice of hearing filed on September 24, 2019.

6. Notice of motion scheduling issued by the Anderson County Clerk filed on September 20, 2019.
7. Order granting default judgement filed November 4, 2019.
8. Notice of special appearance and motion to dismiss and to set aside default and default judgement filed December 30, 2019.
9. Settlement agreement and release dated January 3, 2018.
10. Transcript of proceedings from August 31, 2020.
11. Affidavit of Jimmy L. Davis filed June 16, 2020.
12. Affidavit of Anna D. McWhite filed June 16, 2020.
13. Supplemental affidavit of Anna D. McWhite filed September 4, 2020.
14. Affidavit of Michael McNamara filed August 27, 2020.
15. Plaintiffs' exhibit 1 (affidavit of service).
16. Defendants' exhibit 1 (Co-Con, LLC. Invoice).
17. Defendants' exhibit 2 (Google map).
18. Defendants' exhibit 3 (android map).
19. Order of Judge Sprouse filed September 3, 2020.
20. Supplemental order of Judge Sprouse filed September 22, 2020.
21. Transcript of proceedings from July 28, 2021.
22. Plaintiffs' exhibit 1 (copy of deposit check).
23. Plaintiffs' exhibit 2 (copy of check for house plans).
24. Plaintiffs' exhibit 3 (invoice for moving).
25. Defendants' exhibit 1 (title to real estate/ deed).
26. Defendants' exhibit 2 (title to real estate/ deed).
27. Defendants' exhibit 3 (title to real estate/ deed).
28. Defendants' exhibit 4 (title to real estate/ deed).
29. Defendants' exhibit 5 (subdivision plat).
30. Order granting default judgement filed February 1, 2022.

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

June 6, 2022.



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James S. Eakes, S. C. Bar No. 1820  
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Attorney for Appellants

STATE OF SOUTH CAROLINA )  
 ) IN THE COURT OF COMMON PLEAS  
COUNTY OF ANDERSON ) TENTH JUDICIAL CIRCUIT

JOYCE PORTER AND EDITH )  
DURHAM, )

**CERTIFICATE OF SERVICE  
BY MAIL**

PLAINTIFFS, )

CASE NUMBER: 2019-CP-04-00927

-VS-

APPELLANT CASE NUMBER:

2022-000242

JIMMY L. DAVIS, INC., AND JIMMY )  
L. DAVIS, INDIVIDUALLY, )

DEFENDANTS. )  
\_\_\_\_\_ )

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The undersigned hereby certifies that she is employed in the law offices of Allen and Eakes, 114 West Orr Street, Anderson, South Carolina, and is a person of such age and discretion as to be competent to serve papers.

That on June 6, 2022, she served a copy of Initial Brief of Appellants and Designation of Matters to be Included in the record on appeal in the above-referenced case by placing said copy in a postpaid envelope addressed to the person or persons hereinafter named at the place(s) and address(s) stated below, by depositing said envelope and contents in the United States Mail at Anderson, South Carolina, and also by email:

TO: M. Stokely Holder, Esquire  
Holder, Padgett, Littlejohn & Prickett, LLC  
Post Office Box 1804  
Greenville, South Carolina 29602

Tonya M. Gambrell  
Tonya M. Gambrell

ALLEN AND EAKES LAW  
ATTORNEYS AT LAW  
P.O. BOX 1405  
ANDERSON, S. C. 29622

JAMES S. EAKES\*

THOMAS ALLEN (1881-1963)  
RICHARD K. ALLEN (1921-1982)  
RICHARD K. ALLEN, JR. (1948-2017)

\* CERTIFIED CIVIL COURT MEDIATOR

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June 6, 2022

Via Email: [ctappfilings@sccourts.org](mailto:ctappfilings@sccourts.org)  
Regular First Class Mail

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The Honorable Jenny Abbott Kitchings  
Clerk, South Carolina Court of Appeals  
Post Office Box 11629  
Columbia, South Carolina 29211

**RE: *Joyce Porter and Edith Dunham v. Jimmy L. Davis, Inc. and  
Jimmy L. Davis individually (Case Number 2019-CP-04-00927)  
Appellate Case Number: 2022-000 242***

Dear Ms. Kitchings:

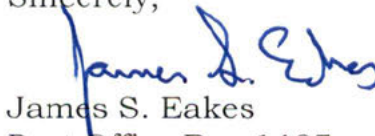
Please find enclosed herewith for filing the original and one (1) copy of the Initial Brief of Appellants and the original and one (1) copy of the Designation of Matters to be Included in the record on appeal. (These were also filed by an email of even date herewith.) I have also enclosed a certificate of service verifying these were served on Respondents' counsel of record by email and regular first class mail today.

It would be greatly appreciated if you would return the "clocked" copies to me in the self-addressed, stamped envelope provided for your convenience.

Thank you for your assistance with this matter, and please contact me if you have any questions or concerns.

With best regards, I remain

Sincerely,



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(864) 224-1681 / (864) 231-8411 (fax)  
Attorney for Appellants

JSE/tmg

CC:

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