

# LESEMANN & ASSOCIATES LLC

CIVIL LITIGATION | BUSINESS DISPUTES

NINA M. THOMAS, PARALEGAL  
EMAIL: [nmt@lalawsc.com](mailto:nmt@lalawsc.com)

418 KING STREET, SUITE 301  
CHARLESTON, SOUTH CAROLINA 29403

DIRECT DIAL: 843-203-0473  
WEBSITE: [www.lalawsc.com](http://www.lalawsc.com)

TELEPHONE (843) 724-5155

June 30, 2022

**RECEIVED**

**Jun 30 2022**

**SC Court of Appeals**

VIA U.S. MAIL AND E-MAIL

Danette Hanks, Court Reporter  
Office of the Master in Equity  
305 East North Street, Suite 313  
Greenville, SC 29601  
[DaHanks@greenvillecounty.org](mailto:DaHanks@greenvillecounty.org)

Re: *Crescent Homes SC, LLC v. CJN, LLC*  
Case No. 2019-CP-23-05954  
*CJN, LLC v. Crescent Homes SC, LLC*  
Case No. 2020-CP-23-4351

Dear Ms. Hanks:

Lesemann & Associates represents Crescent Homes SC, LLC in an appeal of two (2) orders entered by The Honorable Charles B. Simmons, Jr. in the above-referenced civil actions. Enclosed is the Notice of Appeal filed with the SC Court of Appeals that lists the two (2) orders we are appealing.

Please accept this letter as a request to order the transcript of the non-jury trial that was held before Judge Simmons on **May 4, 2022**. Also enclosed is a Transcript Request Form should you need it.

Please advise of the cost of ordering the transcript of the May 4, 2022 non-jury trial before Judge Simmons and how we may remit payment at your earliest convenience.

Best regards,



Nina M. Thomas  
Paralegal

/nmt

Enclosures

cc: John T. Crawford, Esq. (w/ encl. via email only)  
F. James Warmoth (w/ encl. via email only)  
Office of SC Court Administration [transcripts@sccourts.org](mailto:transcripts@sccourts.org) (w/ encl. via email only)  
SC Court of Appeals Clerk of Court [ctappfilings@sccourts.org](mailto:ctappfilings@sccourts.org) (w/ encl. via email only)

**Jun 30 2022**

**SC Court of Appeals**

**Transcript Request Form**

Pursuant to Rule 207 and 607 of the South Carolina Appellate Court Rules, the transcribed paper copy is the official record of court proceedings. You may request a transcript by completing this form and emailing it to the Court Reporter and to South Carolina Court Administration at [transcripts@sccourts.org](mailto:transcripts@sccourts.org). Click [here](#) for instructions on how to find the court reporter's email and mailing addresses. Once the court reporter receives your request, it will be processed pursuant to Rule 207 and 607 of the SCACR. Rule 607(h) governs the fees for transcripts, which are not provided for free or at reduced rates to any party. Please send by mail a money order or certified bank check to the court reporter in order to obtain the transcript. Some court reporters may accept personal checks. Please check with the court reporter to see if this option is available. Once your request is received, you will receive a copy of this form with the bottom portion completed. Please promptly submit your payment in order for the transcript to be provided. If you need to cancel the transcript request for any reason, you are responsible for paying for the pages of the transcript that have already been completed at the time of the cancellation.

<b>Requestor's Information</b>			
Full Name <b>Ellis R. Lesemann, Esquire</b>		Phone <b>843-724-5155</b>	Email Address <a href="mailto:erl@lalawsc.com">erl@lalawsc.com</a> <a href="mailto:nmt@lalawsc.com">nmt@lalawsc.com</a>
Mailing Address <b>418 King Street, Suite 301</b>		City <b>Charleston</b>	State <b>SC</b>
Zip Code <b>29403</b>			
<b>Transcript Information</b>			
Docket Number <b>2019-CP-23-05954</b> <b>2020-CP-23-04351</b>	Case Caption (i.e. State v. John Doe or Smith v. Smith) <b>Crescent Homes SC, LLC v. CJN, LLC</b> <b>CJN, LLC v. Crescent Homes SC, LLC</b>		
Date(s) of Proceeding <b>May 4, 2022</b>	Circuit <input checked="" type="checkbox"/> Family <input type="checkbox"/>	County <b>Greenville</b>	
Presiding Judge <b>The Honorable Charles B. Simmons, Jr.</b>		Expedited Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
Court Reporter(s) <b>Danette Hanks</b>		Opposing Counsel <b>John T. Crawford, Esq.</b> <b>F. James Warmoth, Esq.</b>	

**Requestor's Signature:** s/Ellis R. Lesemann  
(Typed name will serve as signature)

**Date:** June 22, 2022

**Note:** If you are ordering a transcript pursuant to Rule 207(a)(1), SCACR, you must contemporaneously furnish all parties, the Office of Court Administration, and the clerk of the appellate court with copies of all correspondence with the court reporter.

<b>For Court Reporter Use Only</b>			
Full Name		Date Received	Email Address
Notice of Estimate to Requestor Party Date: _____ Number of Pages: _____ Estimated Amount _____			
Mailing Address for Payment		City	State
			Zip Code

**RECEIVED**

**Jun 29 2022**

**SC Court of Appeals**

THE STATE OF SOUTH CAROLINA  
In the South Carolina Court of Appeals

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APPEAL FROM GREENVILLE COUNTY  
Court of Common Pleas for the Thirteenth Judicial Circuit

The Honorable Charles B. Simmons, Jr. Master-in-Equity

---

Civil Action Case Nos.: 2019-CP-23-05954 & 2020-CP-23-04351  
Appellate Case No.: 2022-

---

Crescent Homes SC, LLC,

Appellants/Plaintiffs,

v.

CJN, LLC,

Respondents/Defendants.

---

**NOTICE OF APPEAL**

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Crescent Homes SC, LLC ("Appellant") hereby respectfully submits its Notice of Appeal of the following Orders of The Honorable Charles B. Simmons, Jr.: (i) May 27, 2022 Order on May 4, 2022 non-jury trial; (ii) June 10, 2022 Order Denying Rule 59(e) Motion. These Orders are immediately appealable pursuant to S.C. Code Ann. § 14-3-330(1) and S.C. Code Ann. § 14-3-330(2). Appellant received notice of the Order Denying Rule 59(e) Motions on June 10, 2022. A copy of the Orders appealed are attached as Exhibit 1 and Exhibit 2.

By: s/Ellis R. Lesemann

Ellis R. Lesemann (S.C. Bar No. 15315)

[erl@lalawsc.com](mailto:erl@lalawsc.com)

Benjamin H. Joyce (S.C. Bar No. 100949)

[bjh@lalawsc.com](mailto:bjh@lalawsc.com)

LESEMANN & ASSOCIATES LLC

418 King Street, Suite 301

Charleston, SC 29403

(843) 724-5155

*Attorneys for Appellant Crescent Homes SC, LLC*

June 29, 2022

Charleston, South Carolina

**COUNSEL OF RECORD:**

John T. Crawford (S.C. Bar No. 69682)

[crawford@conlaw.com](mailto:crawford@conlaw.com)

F. James Warmoth (S.C. Bar No. 101072)

[warmoth@conlaw.com](mailto:warmoth@conlaw.com)

KENISON, Dudley, & Crawford, LLC

704 E. McBee Avenue

Greenville, SC 29601

(864) 242-4899

*Attorneys for CJN, LLC*

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Jun 29 2022

SC Court of Appeals

THE STATE OF SOUTH CAROLINA  
In the South Carolina Court of Appeals

---

APPEAL FROM GREENVILLE COUNTY  
Court of Common Pleas for the Thirteenth Judicial Circuit

The Honorable Charles B. Simmons, Jr. Master-in-Equity

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Civil Action Case Nos.: 2019-CP-23-05954 & 2020-CP-23-04351  
Appellate Case No.: 2022-

---

Crescent Homes SC, LLC,

Appellants/Plaintiffs,

v.

CJN, LLC,

Respondents/Defendants.

---

**PROOF OF SERVICE**

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I certify that I have served the Notice of Appeal of Crescent Homes SC, LLC dated June 22, 2022, on all counsel of record as set forth below via email on June 29, 2022. A copy of the email is attached to this Proof of Service as Exhibit A.

LESEMANN & ASSOCIATES LLC

By: 

Nina M. Thomas, Paralegal

418 King Street, Suite 301

Charleston, South Carolina 29403

(843) 724-5155

**COUNSEL OF RECORD:**

John T. Crawford (S.C. Bar No.69682)

[crawford@conlaw.com](mailto:crawford@conlaw.com)

F. James Warmoth (S.C. Bar No. 101072)

[warmoth@conlaw.com](mailto:warmoth@conlaw.com)

KENISON, Dudley, & Crawford, LLC

704 E. McBee Avenue

Greenville, SC 29601

(864) 242-4899

*Attorneys for CJN, LLC*

**EXHIBIT A**

*Email to counsel enclosing Notice of Appeal*

**Nina M. Thomas**

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**From:** Nina M. Thomas  
**Sent:** Wednesday, June 29, 2022 3:39 PM  
**To:** crawford@conlaw.com; Work  
**Cc:** Ellis Lesemann  
**Subject:** Notice of Appeal in Crescent Homes SC, LLC v. CJN, LLC Civil Action Nos. 2019-CP-23-05954 & 2020-CP-23-04351  
**Attachments:** Notice of Appeal with Exhibits 1 and 2.pdf

Good Afternoon James,

I have attached Plaintiff's Notice of Appeal in the above referenced matters. We will be filing the Appeal with the South Carolina Court of Appeals and the Greenville Court this afternoon.

Please let us know if you have any questions.

Kind regards,

Nina M. Thomas  
Paralegal  
**Lesemann & Associates LLC**  
418 King Street, Suite 301  
Charleston, SC 29403  
Phone: (843) 724-5155  
Email: [nmt@lalawsc.com](mailto:nmt@lalawsc.com)

STATEMENT OF CONFIDENTIALITY:

The information contained in this electronic message and any attachments to this message are intended for the exclusive use of the addressee(s) and may contain confidential or privileged information. If you are not the intended recipient, or the person responsible for delivering the e-mail to the intended recipient, be advised you have received this message in error and that any use, dissemination, forwarding, printing, or copying is strictly prohibited. Please call Lesemann & Associates immediately at (843) 724-5155 and destroy all copies of this message and any attachments. You will be reimbursed for reasonable costs incurred in notifying us.

# LESEMANN & ASSOCIATES LLC

CIVIL LITIGATION | BUSINESS DISPUTES

ELLIS R. LESEMANN  
EMAIL: [erl@lalawsc.com](mailto:erl@lalawsc.com)

418 KING STREET, SUITE 301  
CHARLESTON, SOUTH CAROLINA 29403

TELEPHONE (843) 724-5155

DIRECT: (843) 724-5156  
WEBSITE: [www.lalawsc.com](http://www.lalawsc.com)

June 29, 2022

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Jun 29 2022

SC Court of Appeals

**VIA E-FILING**

Mr. Paul B. Wickensimer  
Greenville County Clerk of Court  
305 E. North Street, Suite 202  
Greenville, SC 29601

Re: *Crescent Homes SC, LLC v. CJN, LLC*  
Case No. 2019-CP-23-05954  
*CJN, LLC v. Crescent Homes SC, LLC*  
Case No. 2020-CP-23-4351

Dear Mr. Wickensimer:

Enclosed for filing is Plaintiff's Notice of Appeal of the following orders signed by The Honorable Charles B. Simmons, Jr.:

- (i) May 27, 2022 Order on May 4, 2022 non-jury trial; and
- (ii) June 10, 2022 Order Denying Rule 59(e) Motions.

Also enclosed is the Proof of Service of the Notice of Appeal in the above-referenced matter.

With best regards,

*s/ Ellis R. Lesemann*

Ellis R. Lesemann (S.C. Bar No. 15315)

ERL/nmt  
Enclosures

cc: John T. Crawford, Esquire (w/ encl.)  
F. James Warmoth, Esquire (w/ encl.)

# LESEMANN & ASSOCIATES LLC

CIVIL LITIGATION | BUSINESS DISPUTES

ELLIS R. LESEMANN  
EMAIL: [erl@lalawsc.com](mailto:erl@lalawsc.com)

418 KING STREET, SUITE 301  
CHARLESTON, SOUTH CAROLINA 29403

TELEPHONE (843) 724-5155

DIRECT: (843) 724-5156  
WEBSITE: [www.lalawsc.com](http://www.lalawsc.com)

June 29, 2022

**VIA E-FILING & US MAIL**

Jenny Abbott Kitchings, Esquire  
Clerk of Court  
SC Court of Appeals  
P.O. Box 11629  
Columbia, SC 29211  
[ctappfilings@sccourts.org](mailto:ctappfilings@sccourts.org)

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Jun 29 2022

SC Court of Appeals

Re: *Crescent Homes SC, LLC v. C/JN, LLC*  
Case No. 2019-CP-23-05954  
*C/JN, LLC v. Crescent Homes SC, LLC*  
Case No. 2020-CP-23-4351

Dear Ms. Kitchings:

Enclosed for filing are the following in the above-referenced matter:

1. Plaintiffs' Notice of Appeal;
2. The two (2) Orders by Judge Simmons that we are appealing;
3. Proof of Service of the Notice of Appeal; and
4. Letter to Greenville County Clerk of Court attaching Notice of Appeal and Proof of Service that are being e-filed today in both cases of the consolidated matter.

A check in the amount of \$250.00 for the filing fee will follow to your office via U.S. mail. Please do not hesitate to contact me with any questions or concerns about this matter.

With best regards,

*s/ Ellis*

Ellis R. Lesemann

ERL/nmt  
Enclosure

cc: John T. Crawford, Esquire (w/ encl.)  
F. James Warmoth, Esquire (w/ encl.)