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Jul 29 2022

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

APPEAL FROM LEXINGTON COUNTY
WALTON J. MCLEOD, CIRCUIT COURT JUDGE
Case No. 2022-CP-32-01419

Emily P. Smith and Emily P. Smith and Associates, LLC, Appellants,

v.

Robert T. Smith; Southern Collection, LLC;
Southern Collection Brokerage, LLC;
Terrance Smith and Associates, LLC; Robert B. Smith,
And Sherry C. Smith, Respondents.

NOTICE OF APPEAL

Appellants Emily Smith and Emily P. Smith and Associates, LLC (hereafter “Appellants”) appeal from the trial court’s order Granting Defendants’ Motion to Dismiss filed June 17, 2022, that was received by Appellants on June 17, 2022, and from the Amended order Granting Defendants’ Motion to Dismiss dated June 23, 2022, that was received by the undersigned counsel for Appellants on June 23, 2022. Copies of both orders are attached hereto as **Exhibits A and B**, respectively. In addition, Appellants appeal from the order denying Appellants’ Motion for Reconsideration dated July 20, 2022, received by counsel on July 20, 2022, a copy of which is attached hereto as **Exhibit C**.

Finally, Appellants appeal the order denying Appellants’ Motion for Emergency Appointment of a Receiver, appealable pursuant to S.C. Code Ann. Section 14-3-330(1), dated

May 6, 2022, that was received by Appellants on May 6, 2022. A copy of this order is attached hereto as **Exhibit D**.

s/ Desa Ballard
Desa Ballard (S.C. Bar No. 498)
Harvey M. Watson III (S.C. Bar No. 74053)
Haley Hubbard (S.C. Bar No. 103195)

BALLARD & WATSON
226 State Street
West Columbia, SC 29169
Telephone 803.796.9299
Facsimile 803.796.1066
desab@desaballard.com
harvey@desaballard.com
haley@desaballard.com

ATTORNEYS FOR APPELLANT

July 29, 2022

Other counsel of record:

Mark B. Goddard (S.C. Bar No. 73965)
John B. Kelchner (S.C. Bar No. 13589)
Turner Padget Graham & Laney, P.A.
Post Office Box 1473 (29202)
1901 Main Street, Suite 1700
Columbia, South Carolina 29201
Telephone 803.227.4334
Facsimile 803.400.1542
mgoddard@turnerpadget.com
jkelchner@turnerpadget.com

ATTORNEYS FOR RESPONDENTS SOUTHERN COLLECTION, LLC, SOUTHERN
COLLECTION BROKERAGE, LLC AND TERENCE SMITH AND ASSOCIATES, LLC

Ashby L. Jones (S.C. Bar No. 15900)
Alyssa R. Iglesias (S.C. Bar No. 104167)
Kinard & Jones, LLC
Post Office Box 2678

808 South Lake Drive
Lexington, South Carolina 29072
Telephone 803.359.1003
Ashby@kinardandjones.com
Alyssa@kinardandjones.com

ATTORNEYS FOR RESPONDENTS ROBERT T. SMITH, ROBERT B. SMITH, AND
SHERRY C. SMITH

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v.

Robert T. Smith; Southern Collection, LLC;
Southern Collection Brokerage, LLC;
Terrance Smith and Associates, LLC; Robert B. Smith,
And Sherry C. Smith, Respondents.

PROOF OF SERVICE

I, Haley Hubbard, an attorney with Ballard & Watson, do hereby certify that on July 29, 2022, I served a copy of the **Notice of Appeal**, 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:

Mark B. Goddard, Esquire
John B. Kelchner, Esquire
Turner Padget Graham & Laney, P.A.
mgoddard@turnerpadget.com
jkelchner@turnerpadget.com

Ashby L. Jones, Esquire
Alyssa R. Iglesias, Esquire
Kindard & Jones, LLC
ashby@kindardandjones.com
alyssa@kinardandjones.com


Haley Hubbard, Esquire

July 29, 2022

From: [Haley Hubbard](#)
To: mgoddard@turnerpadget.com; [Kelchner, John B](#); [Ashby Jones](#); [Alyssa Iglesias](#)
Cc: [Desa Ballard](#); [Beth Cogan](#)
Subject: Emily P. Smith v. Robert T. Smith, et al. (2022-CP-32-01419)
Date: Friday, July 29, 2022 9:18:00 AM
Attachments: [2022 07 29 Ltr to COA encl Notice of Appeal.pdf](#)
[2022 07 29 Notice of Appeal.pdf](#)

Good Morning,

The attached Notice of Appeal for the above referenced matter is being filed today with the Court of Appeals.

Best,

Haley A. Hubbard
Associate
Ballard & Watson
226 State Street
West Columbia, SC 29169
Telephone 803-796-9299
Email: haley@desaballard.com



Ballard & Watson
Attorneys at Law
PERSISTENT. UNWAVERING.

Desa Ballard
Harvey M. Watson III

Post Office Box 6338 | West Columbia, SC 29171
226 State Street | West Columbia, SC 29169
ph 803.796.9299 | fx 803.796.1066 | desaballard.com

July 29, 2022

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

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SC Court of Appeals

Re: *Emily P. Smith v. Robert T. Smith, et al.*
Case No.: 2022-CP-32-01419

Dear Ms. Kitchings:

Enclosed for filing, please find a Notice of Appeal and Proof of Service for the above-referenced matter. Pursuant to paragraph (c)(4) of the Supreme Court's amended administrative order dated May 29, 2020 ("Operation of the Appellate Courts During the Coronavirus Emergency" originally dated March 20, 2020) 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. A copy is also being filed with the Lexington County Clerk of Court. 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,

Haley Hubbard
haley@desaballard.com

Enclosures

cc: Via Electronic Mail
Mark Goddard, Esquire

The Honorable Jenny Abbot Kitchings
In Re: Smith v. Smith, et al. (2022-CP-32-01419)
July 29, 2022

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John Kelchner, Esquire
Ashby Jones, Esquire
Alyssa Iglesias, Esquire