

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

68535

APPEAL FROM YORK COUNTY  
Court of Common Pleas

Hon. John C. Hayes, III  
Presiding Circuit Court Judge

Case No. 2010-CP-46-2326  
Court of Appeals Case No. 2013-000327

Juontonio Pinckney, et al. .... Appellants,

v.

Epcor Communities, Inc., Epcor Communities Franchising, Inc.,  
Brock L. Fankhauser, Fankhauser Property Group, Inc.,  
Stonecrest Villas of Tega Cay, LLC,  
and

Stonecrest Villas of Tega Cay Owners' Association, Inc. .... Respondent

APPELLANTS' NOTICE OF MOTION AND  
MOTION TO WITHDRAW TWO (2) OF THE APRIL 10, 2013  
TRIAL COURT ORDERS NOTICED FOR APPEAL  
ON MAY 22, 2013

Pursuant to Rule 260(c), SCACR, Appellants move the court to withdraw two of the three trial court orders submitted under the Amended Notice of Appeal dated May 22, 2013. Appellants do not seek withdrawal of the trial court order granting summary judgment as to all Plaintiffs' claims against Respondent Cross Appellant Stonecrest Villas of Tega Cay Owners' Association, Inc. attached to the Notice of Appeal as Exhibit-C to the amended notice of appeal.

Respectfully submitted,

HALFORD NIEMIEC & FREEMAN, L.L.P.

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Attorneys for Appellants

**RECEIVED**

MAY 28 2013

**SC Court of Appeals**

Other Counsel of Record:

**(Via E-mail)**

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**(Via E-mail Only)**

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**(Via E-Mail Only)**

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THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

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APPEAL FROM YORK COUNTY  
Court of Common Pleas

Hon. John C. Hayes, III  
Presiding Circuit Court Judge

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Case No. 2010-CP-46-2326  
**Court of Appeals Case No. 2013-000237**

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Juontonio Pinckney, et al. .... Appellants,

v.

Epcon Communities, Inc., Epcon Communities Franchising, Inc.,  
Brock L. Fankhauser, Fankhauser Property Group, Inc.,  
Stonecrest Villas of Tega Cay, LLC,  
and

Stonecrest Villas of Tega Cay Owners' Association, Inc. ....Respondent

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PROOF OF SERVICE

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I hereby certify that I am the attorney for the Appellants in the above captioned case number and that I served a copy of the Appellants Notice of Withdrawal of Two Orders under Amended Notice of Appeal dated May 22, 2013 on counsel for all parties by the means indicated below this 24<sup>th</sup> day of May, 2013.

**(Via E-mail and U.S. mail)**

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Attorneys for Stonecrest Villas of Tega Cay Owners' Association, Inc.

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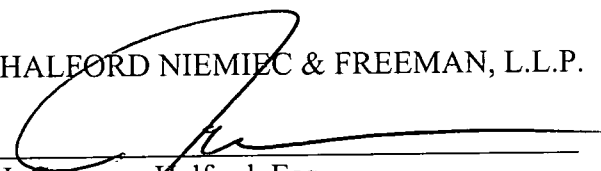
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P. John Freeman, LLC

May 24, 2013

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

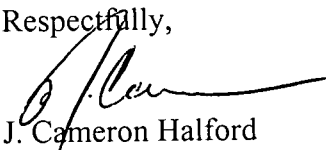
Re: *Juontonio Pinckney, et al. v. Brock L. Fankhauser, et al.*  
York County Consolidated Case No.: 2010-CP-46-2326  
South Carolina Appellate Case No.: 2013-000327

Dear Ms. Kitchings:

Please find enclosed an original and six copies of **Appellants Notice of Motion and Motion To Withdraw Two (2) of the April 10, 2013 Trial Court Orders Noticed For Appeal on May 22, 2013** and Proof of Service in the above matter. Please file the original and return a filed copy to me in the envelope enclosed. Respondents and all counsel for parties appearing in the above case are copied. Thank you.

With kind regards, I remain

Respectfully,

  
J. Cameron Halford

JCH/klw  
Enclosures

cc: *(Via U.S. Mail and E-Mail w/ enclosures):*  
Brett Dressler, Esquire

*(Via E-Mail Only w/ enclosures):*  
Curtis Dowling, Esquire  
Graham P. Powell, Esquire  
Brad Cranshaw, Esquire  
Harold Craig Spears, Esquire  
Michael B.T. Wilkes, Esquire

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