

IN THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

**RECEIVED**

DEC 15 2022

**SC Court of Appeals**

APPEAL FROM CHARLESTON COUNTY  
Court of Common Pleas

Hon. Roger M. Young Sr., Circuit Court Judge

Case No. 2019-CP-10-05392

Kevin Staveley-O'Carroll,

Appellant,

v.

Fenix Automotive, LLC,

Respondent.

NOTICE OF APPEAL

Kevin Staveley-O'Carroll hereby give notice that he appeals the Order of the Hon. Roger M. Young Sr., dated and filed October 7, 2021 (see Exhibit "A"), inclusive of the Order denying Plaintiff's Rule 59, SCRCP Motion to Alter, Amend, or Reconsider, dated November 1, 2021, filed on November 2, 2021 (see Exhibit "B").

Appellant/Plaintiff files the present notice of appeals within ten (10) days of Judge Young's disposition of Defendant/Respondent Fenix Automotive, LLC's Motion to Alter or Amend Judgment, dated and filed on October 14, 2021 (see Exhibit "C"), pursuant to the Court of Appeals' Order dismissing Appellants appeal without prejudice, filed January 28, 2022 (see Exhibit "D").

[Signature on following page]

Respectfully Submitted,

LAW OFFICE OF  
W. WESTBROOK WILLS III

/s/ W. Westbrook Wills III  
P.O. Box 822  
Folly Beach, SC 29439  
Tel. (843) 805-6300  
wwills@wwillslaw.com  
ATTORNEY FOR APPELLANT

Other counsel of Record:

Damien A. Sobieraj, Esq.  
Cooper River Legal Services, LLC  
P.O. Box 2439  
Mt. Pleasant, SC 29465  
Tel. (843)881-2244  
damien@cooperriverlegalservices.com  
ATTORNEY FOR RESPONDENT

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that on this day, December 13, 2022, he served the foregoing Notice of Appeal electronically through the E-File system, by electronic mail, and by U.S. Mail addressed as follows:

Damien A. Sobieraj, Esq.  
Cooper River Legal Services, LLC  
P.O. Box 2439  
Mt. Pleasant, SC 29465

/s/ W. Westbrook Wills III  
W. Westbrook Wills III

THE LAW OFFICE OF  
W. WESTBROOK WILLS III

W. WESTBROOK WILLS III  
Admitted in Georgia & South Carolina

CIVIL TRIAL LAWYER  
P.O. BOX 822  
FOLLY BEACH, SC 29439

TELEPHONE: (843) 805-6300  
FACSIMILE: (866) 922-8596  
wwills@wwillslaw.com

December 13, 2022

VIA U.S. MAIL

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

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SC Court of Appeals

**Re: Kevin Staveley-O'Carroll v. Fenix Automotive, LLC (2019-CP-10-05392)**

Dear Ms. Kitchings:

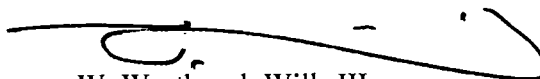
Please find Appellant's Notice of Appeal with a copy of the Order and Order denying reconsideration to be challenged on appeal, and Proof of Filing in the above-referenced case.

Appellant previously appealed these same orders in Appellate Case No. 2021-001351, which appeal was dismissed without prejudice due to a post-judgment motion by Respondent which was still pending before the lower court at the time. A copy of the Court of Appeals' January 28, 2022 Order dismissing Appellant's appeal without prejudice is attached to the enclosed Notice of Appeal as Exhibit "C." Pursuant to the Court of Appeals' Order, Appellant is filing the present Notice of Appeal within ten (10) days of the disposition by the lower court of Respondent's post-judgment motion, a copy of which order is attached to the Notice of Appeal as Exhibit "D." Finally, according to the Court of Appeals' January 28, 2022 Order, a second filing fee for this Notice of Appeal is not required.

Finally, I have already ordered and received a copy of the relevant portion of the transcript of the damages hearing. *A copy of the December 11, 2021 e-mail from court reporter Nathalie Williams delivering the requested transcript is enclosed for reference.*

I have copied Damien Sobieraj, Esq. with copies this letter and attachments for service of the same upon him.

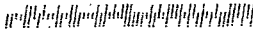
Very truly yours,



W. Westbrook Wills III

Attachments (as stated)

cc: Kevin Staveley-O'Carroll  
Damien Sobieraj, Esq.



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LAW OFFICE OF  
**W. Westbrook Wills III**  
CIVIL TRIAL LAWYER  
PO BOX 822  
FOLLY BEACH, S.C. 29439

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