

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

RECEIVED

JUN 21 2013

APPEAL FROM CHEROKEE COUNTY
Court of Common Pleas

SC COURT OF APPEALS

J. Mark Hayes, II, Circuit Court Judge

Case No. 2008-CP-11-1038

Christopher Drye, d/b/a Drye's Auto Crushing Respondent,

v.

Mike Gault and Mary T. Gault, d/b/a Gault's Used Cars, Total Inc., Edward Keith Potter
individually and as President of Total Inc. Defendants,

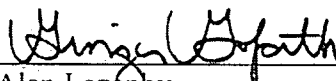
Of whom,

Mike Gault is Appellant.

NOTICE OF APPEAL

Mike Gault appeals the Order of the Honorable J. Mark Hayes, II, issued June 19, 2013. Appellant has received notice of entry of the handwritten Order issued by Judge Hayes holding Mr. Gault in confinement, a copy of which is attached hereto, and which was received on June 19, 2013. Upon information and belief, this is the only Order that will be prepared regarding Mr. Gault's 10 days contempt sentence, and therefore constitutes the final order in this case from which appeal may be taken.

By and through this notice, Appellant also makes an emergency request pursuant to Rule 246, SCACR - because his sentence is for criminal contempt for a period of 10 days - that the Court of Appeals set a bond for him today so that he can obtain his release from confinement at the Cherokee County Detention Center. The Court is authorized to issue such a bond pursuant to Rule 246 and S.C. Code Ann. § 18-1-80.



D. Alan Lazenby

Ginger D. Goforth

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June 21, 2013

ATTORNEYS FOR APPELLANT

Other Counsel of Record:

Wade S. Weatherford, III

915 N. Limestone Street

P.O. Box 2207

Gaffney, SC 29342

ATTORNEY FOR RESPONDENT

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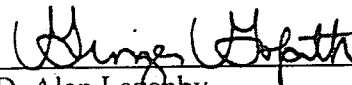
Mike Gault and Mary T. Gault, d/b/a Gault's Used Cars, Total Inc., Edward Keith Potter
individually and as President of Total Inc. Defendants,

Of whom,

Mike Gault is Appellant.

CERTIFICATE OF SERVICE

I, the undersigned, hereby certify the Notice of Appeal and Emergency Petition for Writ of Superdeas in the above referenced matter was mailed, postage prepaid, to Respondent's Attorney, Wade S. Weatherford, III, by sending to PO Box 2207, Gaffney, SC 29342, on June 21, 2013.



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ATTORNEYS AT LAW

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SC Court of Appeals

The Honorable Jenny Abbott Kitchings
SC Court of Appeals Clerk
PO Box 11629
Columbia, SC 29211

Re: *Christopher Drye, d/b/a Drye's Auto Crushing, Plaintiff v. Mike Gault and Mary T. Gault, d/b/a Gault's Used Cars, Total Inc., Edward Keith Potter individually and as President of Total Inc., Defendants*
In the Court of Common Pleas for Cherokee County
C.A. No: 2008-CP-11-1038

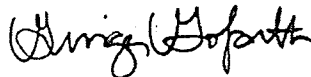
Dear Ms. Kitchings:

Enclosed please find for filing an original and one copy of a Notice of Appeal in the above case. Also enclosed is the following:

- Proof of service of the Notice of Appeal on Respondent;
- A copy of the Order on appeal;
- Emergency Petition for Writ of Supersedeas; and
- The filing fee of \$100.

Please file the originals and send the clocked copies back to me in the envelope I have enclosed for your convenience. I appreciate your assistance in this regard.

Sincerely,



Ginger D. Goforth
ginger@lazenbylawfirm.com

GDG: jeh
Enclosures

cc: Wade Weatherford, III, Esq. (via email & U.S. Mail)