

The South Carolina Court of Appeals

Juontonio Pinckney, Josephine Sciacca, Addie Smith,
James Barone, Deborah Barone, Ismael Gonzales,
Valerie Gonzales, Joe Moore, and Sandra Moore,
Plaintiffs,

v.

Epcon Communities, Inc., Epcon Communities
Franchising, Inc., Brock L. Fankhauser, Fankhauser
Property Group, Inc. and Stonecrest Villas of Tega Cay
Home Owners Association, Inc., Defendants,

Of whom Epcon Communities, Inc., Epcon Communities
Franchising, Inc. are the Respondents,

And Fankhauser Property Group, Inc. is the Appellant.

Fankhauser Prop. Group, Inc., Third Party Plaintiff,

v.

Architectural Alliance, Ltd., Exterior Expressions of
North Carolina, Inc., Al-Mega Construction, Inc., Procar,
Inc., The Southeastern Group, Inc., Lucas Lawn and
Landscape, Inc., and Jose Simenez, Individually and
d/b/a M & L Roofing Co., LLC and/or MB Roofing
Company, Third Party Defendants.

Stonecrest Villas of Tega Cay Condominium Owners
Association, Inc., Third Party Plaintiff,

v.

Stonecrest Villas of Tega Cay, LLC and Epcon
Communities Franchising, Inc., Third Party Defendants.

Exterior Expressions of North Carolina, Inc., Fourth Party Plaintiff,

v.

Marcos Gonzalez, Fourth Party Defendant.

Procar, Inc. and Procar II, Inc., Fourth Party Plaintiffs,

v.

Marcos Zertuche, David Carbajal, Victorina Cortez, Balancos Construction Co., Balanos Framing, Inc., Ricardo Hernandez, and Silverio Cortez, Fourth Party Defendants.

Al-Mega Construction, Inc., Fourth Party Plaintiff,

v.

Noe Perez, Juan Abundez Saucedo, and Moises Chavarra Hernandez, Fourth Party Defendants.

Appellate Case No. 2012-213730

ORDER

The parties to this appeal have filed numerous motions. After careful consideration, the Court takes the following actions:

1. The motion to dismiss Stonecrest Villas' cross-appeal, filed by Appellants Pinckney, et al., is granted.
2. The motions to extend time to obtain a transcript of the March 2013 hearing and to consolidate the trial court's orders, filed by Appellants Pinckney, et al., is denied.

3. The motion to dismiss the appeal, filed by Stonecrest Villas, is held in abeyance, provided Appellants Pinckney, et al., file their initial brief within ten days from the date of this order. If Appellants Pinckney, et al., fail to file their initial brief within ten days from the date of this order, this appeal may be dismissed. We find the disposition of the motion to dismiss subsumes the motion to establish a briefing schedule, filed by Appellants Pinckney, et al.
4. The motion to strike the "Reply" of Appellants Pinckney, et al., to the motion to dismiss the appeal, filed by Stonecrest Villas, is granted.
5. The motion for an extension of time in which to file Respondents' Initial Brief, filed by Epcon Communities, Inc., and Epcon Communities Franchising, Inc., is granted. Respondents shall file their initial brief on or before July 31, 2013.

Additionally, pursuant to Rule 214, SCACR, the Court hereby consolidates Appellate Case Number 2013-001248 with this appeal.


FOR THE COURT

Columbia, South Carolina

FILED

cc:

Morgan S. Templeton
Graham Pollock Powell
William ("Trey") Wharton Watkins, Jr.
Brett E. Dressler
Curtis W. Dowling
J. Cameron Halford
Michael B.T. Wilkes
Joseph Derham Cole, Jr.

July 3, 2013 eac