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Jul 26 2023
SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

IN THE COURT OF
COMMON PLEAS
3rd Judicial Circuit – Williamsburg County

R. Ferrell Cothran, Jr., Circuit Court Judge

CASE NOS.: 2018-CP-45-00258 and 2019-CP-45-00193

Appellate Case No. 2023-001087

Bank of Newington,

Appellant,

v.

Williamsburg County Development Corporation, and HBC, Inc.,

Respondents / Cross Appellant.

NOTICE OF CROSS APPEAL

Appellant HBC, Inc., hereby gives notice of appeal of the orders and judgments entered by this Court, identified as follows:

- (1) Order filed March 13, 2023;
- (2) Amendedⁱ Order filed June 2, 2023; and
- (3) Order Denying (1) Bank of Newington’s Motion for Stay of Enforcement of Order, and (2) Williamsburg County Development Corporation’s Motion to Alter/Amend Judgment, and to Disburse All Funds In Escrow, filed July 25, 2023.

The undersigned counsel certifies that this cross appeal is timely filed within 30 days of receipt of notice of the order(s) and judgement identified above. Specifically, the 2nd order identified above was the result of a Rule 59 motion filed by Appellant Bank of Newington on March 22, 2023, and the 3rd order identified above was the result, at least in part, of a Rule 59

motion filed by the Respondent Williamsburg County Development Corporation on June 12, 2023.

Appellants filed what the undersigned contends was a premature appeal on June 29, 2023. According, in part as an abundance of caution, Respondent HBC, Inc. hereby timely files its Notice of Cross Appeal within 30 days of the Notice of Appeal filed by Appellant Bank of Newington.

WESLEY D. FEW, LLC

s/Wesley D. Few
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ATTORNEYS FOR RESPONDENT / CROSS
APPELLANT HBC, INC.

Greenville, South Carolina
July 26, 2023

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Attorneys for Respondent Williamsburg County Development Corporation

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Attorney for Appellant Bank of Newington

ⁱ This order amended the Mar. 13, 2023 order, in response to a Rule 59 motion filed by Appellant.

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Bank of Newington,

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PROOF OF SERVICE

The undersigned hereby certifies that on July 26, 2023, **Respondent / Cross Appellants' Notice of Appeal** (with copies of the orders subject to the appeal) was served on all counsel of record and the Williamsburg Clerk of Court and the Court of Appeals Clerk of Court via E-File / NEF and/ or Email and / or U.S. Mail and / or Hand-Delivery, as follows:

The Honorable Jenny Abbott Kitchings
South Carolina Court of Appeals, Clerk of Court
Post Office Box 11629
Columbia, South Carolina 29211
ctappfilings@sccourts.org

Sharon W. Stagers
Williamsburg County County Clerk of Court
125 West Main Street
Kingstree, South Carolina 29556
(w/out orders)

-and-

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Attorney for Appellant Bank of Newington

/s/Cassy Young
Cassy Young

July 26, 2023
Columbia, South Carolina

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July 26, 2023

Via U.S. Mail and/or Email and/or Hand-Delivery:

The Hon. Jenny Abbott Kitchings, Clerk of Court
South Carolina Court of Appeals
P.O. Box 11629
Columbia, South Carolina 29211
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RE: Bank of Newington v. Williamsburg County Development Corporation and HBC, Inc.
Case Nos.: 2018-CP-45-00258 and 2019-CP-45-00193
Our File No.: 00146-005

Dear Ms. Kitchings:

Enclosed for filing is an original and one copy of Respondent / Cross Appellant HBC, Inc.'s LLC's Notice of Cross Appeal relating to (i) the Order filed March 13, 2023, (ii) the Order filed June 2, 2023, and (iii) the Order, filed July 25, 2023. Also enclosed for filing are the orders being appealed, our firm's Proof of Service, and check number 10202 in the amount of \$250.00 for the filing fee. Please return a clocked-in copy to our office, a self-addressed, postage paid envelope is enclosed.

If you have any questions or need anything further, please do not hesitate to contact me at either number above.

Sincerely Yours,



Wesley D. Few

Enclosures

WDF/cgy

CC: Walker Willcox, Esq. (*Via Email and E-File*)
Billy Jenkinson, Esq. (*Via Email and E-File*)
Williamsburg County Clerk of Court (*Via E-File*)
Client (*Via Email*)