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Sep 06 2023

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM CHARLESTON COUNTY
Court of Common Pleas

Bentley D. Price, Circuit Court Judge

Case No. 2022-CP-10-04780

1260 E Butler Road Self
Storage, LLC and 3575
Maybank, LLC,

Respondents,

v.

Family Dollar Stores of South Carolina,
LLC,

Appellant.

NOTICE OF APPEAL

Family Dollar Stores of South Carolina, LLC appeals the Form 4 of the Honorable Bentley D. Price dated August 7, 2023, and corresponding Order Affirming Magistrate's Order Granting Summary Judgment and Writ of Ejectment dated August 15, 2023. Appellant received written notice of entry of the Form 4 on August 7, 2023 and written notice of the Order on August 15, 2023.

September 6, 2023.

/s/ M. Kevin McCarrell

M. Kevin McCarrell (S.C. Bar #76255)

FOX ROTHSCHILD LLP

2 W. Washington Street, Suite 1100

Greenville, South Carolina 29601

(864) 751-7600; (864) 751-7800 (fax)

kmccarrell@foxrothschild.com

Attorneys for Appellant

Other Counsel of Record:

Brendan P. Langendorfer, Esquire
LANGENDORFER LAW FIRM, LLC
P.O. Box 68
Mount Pleasant, SC 29465
Brendan@langendorerlaw.com
Attorneys for Respondents

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Appellant.

PROOF OF SERVICE

I certify that I have served the Notice of Appeal on 1260 E Butler Road Self Storage, LLC and 3575 Maybank, LLC by depositing a copy of it in the United States Mail, postage prepaid on September 6, 2023, addressed to their attorneys of record Brendan P. Langendorfer, LANGENDORFER LAW FIRM, LLC, P.O. Box 68, Mount Pleasant, SC 29465 and via e-mail (Brendan@langendorerlaw.com).

September 6, 2023.

/s/ M. Kevin McCarrell

M. Kevin McCarrell, (S.C. Bar #76255)
FOX ROTHSCHILD LLP
2 W. Washington Street
Suite 1100
Greenville, South Carolina 29601
Attorneys for Appellant

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Suite 1100
2 W. Washington Street
Greenville, SC 29601
Tel 864.751.7600 Fax 864.751.7800
www.foxrothschild.com

M. KEVIN MCCARRELL
Direct No: 864.751.7652
Email: KMcCarrell@foxrothschild.com

September 6, 2023

Via Email (ctappfilings@sccourts.org) & US MAIL

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

RE: 1260 E Butler Road Self Storage, LLC and 3575 Maybank, LLC, Respondent v. Family Dollar Stores of South Carolina, LLC, Appellant; Civil Action No. 2022-CP-10-04780

Dear Ms. Kitchings:

Enclosed for filing is a Notice of Appeal in the above case along with the following:

- (1) Proof of service of the notice of appeal on the respondents.
- (2) A copy of the Form 4 Order and Order Affirming Magistrate's Order Granting Summary Judgment and Writ of Ejectment which is to be challenged on appeal.
- (3) A filing fee of \$100.

These same documents are being mailed to the Clerk's office. By copy of this letter, copies of the same are being served upon counsel for Respondents.

Thank you for your assistance in this matter.

Sincerely,

Fox Rothschild LLP

A handwritten signature in blue ink that reads 'M. Kevin McCarrell'.

M. Kevin McCarrell

MKM/ela

Enclosures

CC: Via U.S. Mail & e-mail: Brendan P. Langendorfer, Esquire, Attorneys for Respondents

A Pennsylvania Limited Liability Partnership

California Colorado Delaware District of Columbia Florida Georgia Illinois Minnesota Missouri Nevada
New Jersey New York North Carolina Oklahoma Pennsylvania South Carolina Texas Washington