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Jan 29 2024

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM BERKELEY COUNTY
COURT OF COMMON PLEAS

Dale E. Van Slambrook, Master-in-Equity

Case No. 2024-000009

Christ Fellowship Church, d/b/a
a Church in St. Stephen, South Carolina,

Respondent,

v.

William H. Johnson and Dustin Kyle Johnson,

Appellants,

Consent Motion to Substitute Appellate Counsel

RESPONDENT RESPECTFULLY MOVES TO SUBSTITUTE BROOKS R. FUDENBERG AS ITS APPELLATE COUNSEL IN PLACE OF ERNIE L. MIXON. MR. MIXON WAS TRIAL COUNSEL IN THE LOWER COURT CASE, NO. 2021-CP-08-01441. COUNSEL FOR RESPONDENT HAS INDICATED HE HAS NO OBJECTION.

January 25, 2024		
<u>WE SO MOVE</u>		
<i>s/Ernie L. Mixon</i> S.C. Bar No. 4014 107 South Live Oak Drive Moncks Corner, SC 29461 (843) 761-6745 erniemixon@hotmail.com	I authorize you to file this.	<i>s/Brooks R. Fudenberg</i> LAW OFFICES OF BROOKS R. FUDENBERG, LLC Brooks R. Fudenberg S.C. Bar No. 72019 14 Ashe Street Charleston, SC 29403 Tel.: (843) 416-2558 BRF@Fudenberglaw.com

ATTACH:

EMAILS FROM ROMAN V. HAMMES AND ERNIE L. MIXON

From: [Ernie Mixon](#)
To: [Brooks R. Fudenberg](#); roman@charpialaw.com
Subject: Re: Corrected Motion to Substitute
Date: Monday, January 29, 2024 10:36:20 AM
Attachments: [image001.png](#)
[Outlook-c0ivdvo0.png](#)
[3_Mot Subs. Counsel.rtf](#)

See attached.

With Best Regards, I am
Sincerely,
Ernie L. Mixon ||| Tel# 843.761.6475
Fax# 843.899.6483
E-mail: erniemixon@hotmail.com |||
107 South Live Oak Drive, Moncks Corner, SC 29461

ERNIE L. MIXON
ATTORNEY AT LAW


THIS MESSAGE IS INTENDED ONLY FOR THE USE OF THE INDIVIDUAL OR ENTITY TO WHICH IT IS ADDRESSED, AND MAY CONTAIN INFORMATION THAT IS PRIVILEGED, CONFIDENTIAL AND EXEMPT FROM DISCLOSURE UNDER APPLICABLE LAW. IF THE READER OF THIS MESSAGE IS NOT THE INTENDED RECIPIENT OR THE EMPLOYEE OR THE AGENT RESPONSIBLE FOR DELIVERING THE MESSAGE TO THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY DISSEMINATION, DISTRIBUTION, OR COPYING OF THIS COMMUNICATION IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE NOTIFY US IMMEDIATELY BY TELEPHONE, AND RETURN THE ORIGINAL MESSAGE TO US AT THE ABOVE ADDRESS VIA THE U.S. POSTAL SERVICE! THANK YOU!

From: Brooks R. Fudenberg <Brooks.R.Fudenberg@FudenbergLaw.com>
Sent: Friday, January 26, 2024 4:06 PM
To: Ernie Mixon <erniemixon@hotmail.com>; roman@charpialaw.com <roman@charpialaw.com>
Subject: RE: Corrected Motion to Substitute

I didn't! Please insert your electronic signature (i.e., your name) in the signature block, and send it to me with the words "I authorize you to file this." Thanks.

Brooks R. Fudenberg
Law Office of Brooks R. Fudenberg, LLC
14 Ashe Street
Charleston SC 29403
843-696-8911
910-401-1242 (eFax)

THIS COMMUNICATION MAY CONTAIN CONFIDENTIAL AND PRIVILEGED ATTORNEY-CLIENT OR ATTORNEY WORK PRODUCT INFORMATION. IF YOU ARE NOT THE INTENDED RECIPIENT, PLEASE CONTACT THE SENDER AND THEN DESTROY THIS COMMUNICATION

From: Ernie Mixon <erniemixon@hotmail.com>
Sent: Friday, January 26, 2024 3:51 PM
To: Brooks R. Fudenberg <Brooks.R.Fudenberg@FudenbergLaw.com>
Subject: Re: Corrected Motion to Substitute

4014. Bet you didn't know there were still numbers that low.

With Best Regards, I am
Sincerely,

Ernie L. Mixon

Tel# 843.761.6475
Fax# 843.899.6483
E-mail: erniemixon@hotmail.com

ERNIE L. MIXON
ATTORNEY AT LAW

107 South Live Oak Drive, Moncks Corner, SC 29461

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From: Brooks R. Fudenberg <Brooks.R.Fudenberg@FudenbergLaw.com>
Sent: Friday, January 26, 2024 3:22 PM
To: Ernie Mixon <erniemixon@hotmail.com>; roman@charpiyalaw.com <roman@charpiyalaw.com>
Subject: RE: Corrected Motion to Substitute

Ernie,

Please send me your SC Bar # so I can add it to the signature block.

From: Ernie Mixon <erniemixon@hotmail.com>
Sent: Friday, January 26, 2024 3:12 PM
To: Roman Hammes <roman@charpiyalaw.com>; Brooks R. Fudenberg <Brooks.R.Fudenberg@FudenbergLaw.com>
Subject: Re: Corrected Motion to Substitute

Looks good.

With Best Regards, I am
Sincerely,

Ernie L. Mixon

Tel# 843.761.6475
Fax# 843.899.6483
E-mail: erniemixon@hotmail.com

ERNIE L. MIXON
ATTORNEY AT LAW

107 South Live Oak Drive, Moncks Corner, SC 29461

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From: Roman Hammes <roman@charpiyalaw.com>
Sent: Thursday, January 25, 2024 6:29 PM
To: Brooks R. Fudenberg <Brooks.R.Fudenberg@fudenberglaw.com>
Cc: erniemixon@hotmail.com <erniemixon@hotmail.com>
Subject: RE: Corrected Motion to Substitute

All good. No objection

Roman V. Hammes

Charpia & Hammes, Attorneys at Law
215 W. 2nd South Street
Summerville, SC 29483
(843) 324-1727 (Mobile)
(843) 261-7026 (Office)
roman@charpiaw.com

From: Brooks R. Fudenberg <Brooks.R.Fudenberg@FudenbergLaw.com>
Sent: Thursday, January 25, 2024 5:48 PM
To: Roman Hammes <roman@charpiaw.com>
Cc: erniemixon@hotmail.com
Subject: Corrected Motion to Substitute

Please see the corrected motion to substitute (attached).

Brooks R. Fudenberg
Law Office of Brooks R. Fudenberg, LLC
14 Ashe Street
Charleston SC 29403
843-696-8911
910-401-1242 (eFax)

THIS COMMUNICATION MAY CONTAIN CONFIDENTIAL AND PRIVILEGED ATTORNEY-
CLIENT OR ATTORNEY WORK PRODUCT INFORMATION. IF YOU ARE NOT THE INTENDED
RECIPIENT, PLEASE CONTACT THE SENDER AND THEN DESTROY THIS COMMUNICATION

From: [Roman Hammes](#)
To: [Brooks R. Fudenberg](#)
Cc: erniemixon@hotmail.com
Subject: RE: Corrected Motion to Substitute
Date: Thursday, January 25, 2024 6:29:16 PM

All good. No objection

Roman V. Hammes
Charpia & Hammes, Attorneys at Law
215 W. 2nd South Street
Summerville, SC 29483
(843) 324-1727 (Mobile)
(843) 261-7026 (Office)
roman@charpiaw.com

From: Brooks R. Fudenberg <Brooks.R.Fudenberg@FudenbergLaw.com>
Sent: Thursday, January 25, 2024 5:48 PM
To: Roman Hammes <roman@charpiaw.com>
Cc: erniemixon@hotmail.com
Subject: Corrected Motion to Substitute

Please see the corrected motion to substitute (attached).

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Case No. 2024-000009

Christ Fellowship Church, d/b/a
a Church in St. Stephen, South Carolina,

Respondent,

v.

William H. Johnson and Dustin Kyle Johnson,

Appellants,

Proof of Service

I certify that Respondent's Consent Motion to Substitute Appellate Counsel is being served today on Respondent via email to its counsel of record, Roman V. Hammes, via email to: roman@charpielaw.com.

s/Brooks R. Fudenberg
LAW OFFICES OF BROOKS R. FUDENBERG,
LLC

Attach: emails from Roman V. Hammes and Ernie L. Mixon