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SC Court of Appeals

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

APPEAL FROM YORK COUNTY  
Court of Common Pleas

The Honorable Daniel D. Hall, Circuit Court Judge

Case No. 2022-CP-46-01237

STEPHANIE KOZAK,  
as Personal Representative of the Estate of John Witkowski,

Appellant,

vs.

CHRIS CUTWAY,

Respondent.

AMENDED NOTICE OF APPEAL

STEPHANIE KOZAK appeals the following Orders of the Circuit Court:

- a) Order granting Default Judgment filed November 15, 2022; and
- b) Order denying Rule 60 relief filed January 26, 2024.

Copies of the above Orders are attached hereto and incorporated herein.

/s/ John Martin Foster  
Attorney for Appellant  
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Post Office Box 106  
Rock Hill, SC 29731-6106  
jmfoster340@gmail.com

Other Counsel of Record:  
Chan M. Ahn  
Attorney for Respondent  
4381 Charlotte Highway, Suite 103  
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March 4, 2024

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CERTIFICATE OF SERVICE

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The undersigned, as counsel for Appellant herein, hereby certifies that on March 4, 2024, he served copies of the following pleadings or documents in the above-captioned and numbered civil action:

Amended Notice of Appeal to Circuit Court, with its attachments; and  
This Certificate of Service

on the following counsel or persons of record by serving the following lawyers admitted to practice law in this state using the lawyer's primary e-mail address listed in the Attorney Information System, as allowed by Section (e) of the Order of the Supreme Court entitled "RE: Methods of Electronic Filing and Service under Rule 262 of the South Carolina Appellate Court Rules" (as amended May 6, 2022).

Chan M. Ahn  
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/s/ John Martin Foster  
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Rock Hill, South Carolina

March 4, 2024

**Subject:** Courtesy NEF RE: 2022CP4601237

**From:** <efiledonotreply@sccourts.org>

**Date:** 3/4/24, 15:07

**To:** <jmfoster340@gmail.com>

**CC:** <ensmith@gmail.com>

**\*\*\*\*\* IMPORTANT NOTICE - READ THIS INFORMATION \*\*\*\*\***  
**NOTICE OF ELECTRONIC FILING [NEF]**

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**A filing has been submitted to the court RE: 2022CP4601237**

**Official File Stamp:** 03-04-2024 03:07:13 PM  
**Court:** CIRCUIT COURT  
Common Pleas  
York  
**Case Caption:** Stephanie Kozak , plaintiff, et al VS Chris Cutway  
**Document(s) Submitted:** Appeal/Notice of Appeal to Court of Appeals  
- Exhibit/Filing of Exhibits  
- Exhibit/Filing of Exhibits  
**Filed by or on behalf of:** John Martin Foster

This notice was automatically generated by the Court's auto-notification system.

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**The following people were served electronically:**

John Martin Foster for Stephanie Kozak et al  
Chan Mo Ahn for Chris Cutway  
Neil Terrence Phillips for Stephanie Kozak

**The following people have not been served electronically by the Court. Therefore, they must be served by traditional means:**

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