

PAGLIARINI LAW FIRM, LLC

ATTORNEYS AT LAW

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April 30, 2024

Via Electronic Filing

The Honorable Jenny Abbott Kitchings
Clerk, South Carolina Court of Appeals
1220 Senate Street
Columbia, South Carolina 29211
ctappfilings@sccourts.org

RECEIVED

Apr 30 2024

SC Court of Appeals

Re: South Carolina Department of Transportation v. Briargate Condominium Association, Inc.
(HOA), et al.
Appellate Case No.: 2024-000582
Civil Action No.: 2021-CP-40-04582
Project ID: P027662, Carolina Crossroads; Tract 195

Dear Ms. Kitchings:

Please allow this letter to advise that Appellant, South Carolina Department of Transportation in the above-referenced appeal received the completed transcript of the hearing at issue on April 25, 2024. Accordingly, by our calculations, our initial brief and designation of matter would be due on or before Friday, May 24, 2024.

If you have any questions or need additional information, please do not hesitate to contact me.

With kind regards,



David G. Pagliarini

DGP/lis

cc: South Carolina Office of Court Administration (*via U.S. Mail only*)
Thomas H. Pope III, Esq. (*via electronic mail only*)
Walter H. Bundy, Jr., Esq. (*via electronic mail only*)
Michael Brent McDonald, Esq. (*via electronic mail only*)
Michael P. Morris, Esq. (*via electronic mail only*)
Benjamin E. Grimsley, Esq. (*via electronic mail only*)
Ryan J. Patane, Esq. (*via electronic mail only*)
Chad W. Burgess, Esq. (*via electronic mail only*)

RECEIVED

Apr 30 2024

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM RICHLAND COUNTY
In the Court of Common Pleas
Eugene C. Griffith, Jr., Circuit Court Judge

Appellate Case No.: 2024-000582
Circuit Court Case No. 2021-CP-40-04582

South Carolina Department of Transportation,Appellant,

vs.

Briargate Condominium Association, Inc. (HOA) and Mohammed Arabi,
as class representative for himself and all unit owners, to pursue just
compensation for all unit owners, Respondents,

and

Magna Capital, Mortgagee, The National Bank of South Carolina,
Mortgagee, South Carolina Department of Revenue, Tax Liens,
Arrow Financial Services, LLC, Judgment, Portfolio Recovery
Associates, LLC, Judgment, The National Bank of South Carolina,
Mortgagee, State Employees Credit Union, Mortgagee, NBSC a
division of Synovus Bank, Mortgagee, Carolina First Bank,
Mortgagee, Richland County, Judgment, Bank of America, N.A. c/o
Cooling & Winter, LLC, Judgment, Department of Treasury-Internal
Revenue Service, Judgment, HSBC Mortgage Corporation,
Mortgagee, First Community Bank-Gilbert, Mortgagee, America's
Wholesale Lender, Mortgagee, William R. Hollingsworth, Jr. and
Myong Hollingsworth, Mortgagee, First Palmetto Savings Bank,
Mortgagee, MERS as nominee for ERA Mortgage, Mortgagee, The
Resolution Trust Corporation as Receiver for Metropolitan Federal
Savings and Loan Association, Mortgagee, Wachovia Bank
National Association, Mortgagee, The Resolution Trust Corporation
as Receiver for Metropolitan Federal Savings and Loan Association,
Mortgagee, Brittany Frances Minogue, Mortgagee, Mutual Savings
Bank, F.A., Mortgagee, Richland County Tax Assessor, Delinquent
Taxes, Bank of America, N.A., Mortgagee, UCC Financing, Miriam
Properties Group, LLC, Turnberry Associates, Inc., Mathes Auto
Sales, Inc., BB&T of South Carolina, Navy Federal Credit Union,
Briargate Condominium Association, Inc., Foreclosure Action, Other Condemnee(s).

PROOF OF SERVICE

I, Lydia Spry, the undersigned Paralegal of Pagliarini Law Firm, LLC, attorney for Appellant, hereby certify that I have served all counsel in this action with a copy of the pleading(s) hereinbelow specified:

Pleadings: Letter dated April 30, 2024 to the SC Court of Appeals

S.C. Court Administration Served: Via U.S. Mail
The Honorable Rosalyn W. Frierson
South Carolina Court Administration
Richland County Judicial Center
1015 Sumter Street, Ste. 200
Columbia, SC 29201

Counsel Served: Via E-mail
Thomas H. Pope III, Esq.
Pope Parker Jenkins, P.A.
tom@ppjlaw.com

-and-

Walter H. Bundy, Jr., Esq.
Michael Brent McDonald, Esq.
Bundy McDonald, LLC
walter@bundymcdonald.com
brent@bundymcdonald.com

Counsel for Respondents Briargate Condominium Association, Inc. and Mohammed Arabi, as Proposed Class Representative, for Himself, and on Behalf of All Unit Owners of Briargate Condominium Association, Inc.

Michael P. Morris, Esq.
MP Morris Law Firm
michael.morris@mpmorrislawfirm.com

Counsel for Other Condemnee Moyer Company, LLC

Benjamin E. Grimsley, Esq.
Ryan J. Patane, Esq.
D'Alberto Graham & Grimsley
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*Counsel for Other Condemnee First Community Bank
Gilbert*

Chad W. Burgess, Esq.
Brock & Scott, PLLC
chad.burgess@brockandscott.com

*Counsel for Other Condemnee MERS, as Nominee for ERA
Mortgage*

A copy of the email serving counsel as stated above is attached hereto.


Lydia Spry

April 30, 2024

From: lydia@lawplf.com
To: ["Tom Pope"; "Walter Bundy"; "Brent McDonald"; michael.morris@mpmorrislawfirm.com;](#)
[bgrimsley@dgglegal.com; rpatane@dgglegal.com; chad.burgess@brockandscott.com](#)
Cc: ["David Pagliarini"; "Julia Anne McKeachie"; "Betsy Alexander"](#)
Subject: SCDOT v. Briargate Condominium Association, Inc. (HOA), et al. // Appellate Case No.: 2024-000582
Date: Tuesday, April 30, 2024 11:19:27 AM
Attachments: [2024.04.30 Ltrt SCCA re- receipt of hearing transcript and deadline.pdf](#)

Counsel:

Please find attached for service upon you in the above matter, Appellant's correspondence with the Court concerning receipt of the hearing transcript and briefing schedule. The same will be filed momentarily with the Court, copying all parties to this email.

Thank you.

Lydia Spry
Litigation Paralegal to David G. Pagliarini, Esq.
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Charleston, South Carolina 29492
(843) 971-8646