

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM SUMTER COUNTY
Court of Common Pleas

R. Kirk Griffin, Circuit Court Judge

Case Nos.: 2023-CP-36-00276
2022-CP-43-01006
2023-CP-36-00300

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MAY 03 2024
SC Court of Appeals

Dean Alan Arender and Tamala
Arender,

Plaintiffs/ Appellants,

v.

Kent Oliver Huntly, Thompson Construction
Group, Inc., Curtis Kent Ovellette, and DMX
Transportation Services, Inc.,

Defendants,

OF WHOM,

Kent Oliver Huntly and Thompson
Construction Group, Inc. ARE

Respondents,

&

Kent Huntley Oliver,

Plaintiff/ Respondent,

v.

Curtis Kent Ovellette, Quality Haulers, Inc.,
Dean Alan Arender, US XPRESS Leasing,
Inc., and US XPRESS, Inc.,

Defendants,

OF WHOM

Dean Alan Arender IS

Appellant,

&

Jerry Cozby,

Plaintiff,

v.

Kent Huntley Oliver, Thompson
Construction Group Inc., Curtis Kent
Ovellette, and Quality Haulers, Inc.,

Defendants,

OF WHOM

Kent Oliver Huntly and Thompson
Construction Group, Inc. ARE

Respondents,

NOTICE OF APPEAL

Dean Alan Arender and Tamala Arender appeal the order of the Honorable R. Kirk Griffin dated February 13, 2024, filed in case number 2022-CP-43-01006 on February 13, 2024, and filed in case number 2023-CP-36-00276 on February 21, 2024. Appellants received written notice of entry of this order on February 21, 2024. On February 23, 2024, Appellants filed a timely motion to reconsider pursuant to Rule 59(e), SCRPC. The Honorable R. Kirk Griffin denied that motion to reconsider by written order on April 4, 2024.

Dean Alan Arender and Tamala Arender, therefore, appeal the following Orders of the Honorable R. Kirk Griffin:

- (1) The February 13, 2024, Order granting Kent Oliver Huntly and Thompson Construction Group, Inc.'s motion for consolidation and joinder of case numbers 2023-CP-36-00276; 2022-CP-43-01006; and, 2023-CP-36-00300 in the County of Sumter under case number 2022-CP-43-01006; and,
- (2) The April 4, 2024, Order denying Appellants' Rule 59(e), SCRPC.

Appellants received written notice their Rule 59(e), SCRPC, motion was denied on April 4, 2024.

Smith, Born, Leventis, Taylor, & Vega LLC

s/James D. George, Jr.

James D. George, Jr. (S.C. Bar No.: 103634)

Jacob D. Born (S.C. Bar No.: 100026)

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Attorneys for Plaintiffs/ Appellants Dean

Alan Arender and Tamala Arender

May 3, 2024

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**Attorneys for Respondent Kent
Huntley Oliver in his capacity as a
Plaintiff in case no. 2023-CP-36-00300.**

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**Attorneys for Defendants US Xpress, Inc.
and U.S. Xpress Leasing, Inc.**

&

**Attorneys for Appellant Dean Alan Arender
in his capacity as a Defendant in case no.
2023-CP-36-00300.**

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**Attorneys for Defendants Curtis Kent
Oulette and Quality Haulers, Inc.**

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM SUMTER COUNTY
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R. Kirk Griffin, Circuit Court Judge

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Dean Alan Arender, US XPRESS Leasing,
Inc., and US XPRESS, Inc.,

Defendants,

OF WHOM

Dean Alan Arender IS

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&

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v.

Kent Huntley Oliver, Thompson
Construction Group Inc., Curtis Kent
Ovellette, and Quality Haulers, Inc.,

Defendants,

OF WHOM

Kent Oliver Huntly and Thompson
Construction Group, Inc. ARE

Respondents,

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on May 3, 2024, he served counsel for Respondents the Appellants' Notice of Appeal by mailing and emailing counsel a copy of the same to the below mailing and email addresses as maintained in the attorney information system:

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Enclosed with this Certificate of Service is a copy of the transmittal email to counsel.

Respectfully Submitted,

s/ James D. George, Jr.
James D. George, Jr.
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May 3, 2024

From: James D. George Jr. JGeorge@sbltv.law 

Subject: Notice of Appeal 2023-CP-36-00276; 2022-CP-43-01006; 2023-CP-36-00300 Arender v. Huntley, Thompson Construction et. Al.

JG

Date: May 3, 2024 at 11:20 AM

To: fred.hanna@smithrobinsonlaw.com, daniellynch@piercesloan.com, carlpierce@piercesloan.com, Murrell Smith murrell@smithrobinsonlaw.com, Andrew.evans@hawklaw.com, lveyFranklin@thejeffcoatfirm.com, raiajane@gmail.com, justin.arenas@derricklawfirm.com, jvs@truckcrashlaw.com, JLL@truckcrashlaw.com, Hood Dawson hdawson@gwblawfirm.com, cott@gwblawfirm.com, preeves@gwblawfirm.com, Mark S. Barrow msb@swblaw.com, Marshall C. Crane MCC@swblaw.com, Madison K. Kea MKK@swblaw.com, Jacob Born JBorn@sbltv.law, Virginia Kendall vkendall@sbltv.law, James D. George Jr. JGeorge@sbltv.law, Jim Sproat jsproat@sbltv.law

Cc: Latonya M. Smalls lsmalls@sbltv.law, Erica Ricano ERicano@sbltv.law

Good morning:

Attached please find the notice appeal in the above referenced matter. The notice is being filed with the court of appeals and the circuit court today. Hard copies of the attached are being served via US Mail as well.

Best,

JDG

Jamie George
Attorney
Smith, Born, Leventis, Taylor & Vega
(803) 509-5837
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**Arender NOA Docs for Service
filing.pdf**



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May 3, 2024

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SC Court of Appeals

Via Hand Delivery

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

RE: Dean Alan Arender and Tamala Arender, Plaintiffs/ Appellants, vs. Kent Oliver Huntly, Thompson Construction Group, Inc., Curtis Kent Ovellette, and DMX Transportation Services, Inc., Defendants, of whom Kent Oliver Huntley and Thompson Construction Group, Inc. are Respondents; and Kent Huntley Oliver, Plaintiff/ Respondent, vs. Curtis Kent Ovellette, Quality Haulers, Inc., Dean Alan Arender, US XPRESS Leasing, Inc., and US XPRESS, Inc., of whom Dean Alan Arender is Appellant; and Jerry Cozby, Plaintiff, vs. Kent Huntley Oliver, Thompson Construction Group, Inc., Curtis Kent Ovellette, and Quality Haulers, Inc., Defendants, of whom Kent Oliver Huntly and Thompson Construction Group, Inc. are Respondents.

C/A Nos.: 2023-CP-36-00276
2022-CP-43-01006
2023-CP-36-00300

Notice of Appeal

Dear Ms. Kitchings:

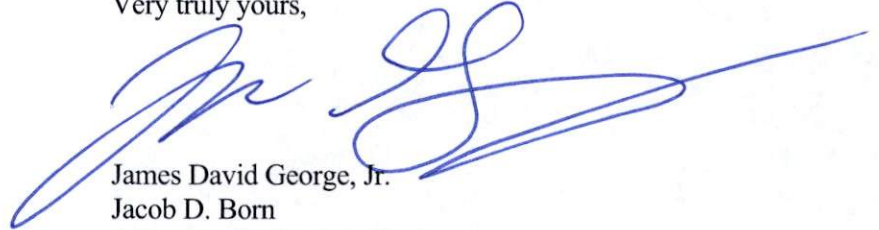
Enclosed please find the following documents for filing regarding the above referenced matter:

1. Notice Appeal;
2. Certificate of Service;
3. Filing Fee;

4. February 13, 2024, Order granting Respondents' motion for consolidation and joinder;
5. April 4, 2024, Order Denying Rule 59(e), SCRC Motion to Reconsider

Thank you for your assistance in this matter.

Very truly yours,

A handwritten signature in blue ink, consisting of two distinct parts. The first part is a stylized, cursive signature that appears to be 'JDG'. The second part is a long, horizontal, sweeping line that extends to the right, ending in a small hook.

James David George, Jr.
Jacob D. Born
Attorneys for the Appellants

cc: Andrew Clifton Evans
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