

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

69534

APPEAL FROM BEAUFORT COUNTY
Court of Common Pleas

Edward W. Miller, Circuit Court Judge

Case No. 2009-CP-07-05410

The Callawassie Island
Members Club, Inc.,

Respondent,

v.

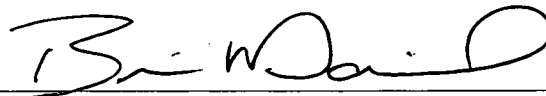
Arthur H. Applegate

Appellant.

NOTICE OF APPEAL

Arthur H. Applegate appeals the orders of the Honorable Edward W. Miller dated May 14, 2013 and July 17, 2013. The May 14, 2013 Order being appealed is a Form 4 order referring the case from the Beaufort County jury trial roster to the Master in Equity, over the objection of the Appellant. The Appellant received written notice of the May 14, 2013 Order on May 30, 2013 and timely filed and served a motion to Alter or Amend on June 7, 2013. The Appellant's motion to Alter or Amend was denied by the July 17, 2013 Order, received July 25, 2013 which is herein also appealed.

August 19, 2013



Brian D. McDaniel
Law Office of Brian McDaniel, LLC
Post Office Box 2085
Beaufort, South Carolina 29901
(843) 379-5117
Attorney for Appellant

RECEIVED

AUG 23 2013

Other Counsel of Record:

Minor, Haight & Arundell, P.C.
Ehrick K. Haight, Jr., Esquire
P.O. Drawer 6067
Hilton Head Island, SC 29938
Attorney for the Plaintiff / Respondent

Howell, Gibson & Hughes, P.A.
Stephen P. Hughes, Esquire
P. O. Drawer 40
Beaufort, SC 29901-0040
Attorney for the Plaintiff/ Respondent

Howell, Gibson & Hughes, P.A.
William T. Young, Esquire
P. O. Drawer 40
Beaufort, SC 29901-0040
Attorney for the Plaintiff/ Respondent

Jennifer I. Campbell, Esquire
2008 Spectable Street
Beaufort, South Carolina 29902
Attorney for the Defendant/ Appellant

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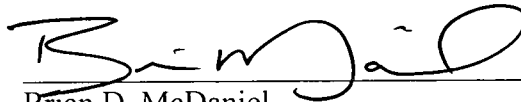
Arthur H. Applegate

Appellant.

PROOF OF SERVICE

I certify that I have served the Notice of Appeal on The Callawassie Island Members Club, Inc. by depositing a copy of it in the United States Mail, postage prepaid, on August 20, 2013, addressed to its attorneys of record, Ehrick K. Haight, Jr., Esquire, P.O. Drawer 6067, Hilton Head Island, SC 29938; Howell, Gibson & Hughes, P.A., Stephen P. Hughes, Esquire, William T. Young, Esquire, P. O. Drawer 40, Beaufort, SC 29901-0040.

August 20, 2013



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Attorney for Appellant

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AUG 23 2013

SC Court of Appeals

Other Counsel of Record:

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Attorney for the Defendant/ Appellant



Law Office of
BRIAN McDANIEL, LLC

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VIA US MAIL
August 20, 2013

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

RE: Callawassie Island Members Club, Inc. v. Arthur H. Appelgate
Civil Action No. 2009-CP-07-05410

Dear Ms. Kitchings:

Enclosed for filing is a notice of appeal in the above case. Also enclosed are the following:

- (1) Proof of service of the notice of appeal on the respondent[s].
- (2) A copy of the orders which are being challenged on appeal.
- (3) A filing fee of \$100.00

Sincerely,

Brian D. McDaniel
Law Office of Brian McDaniel, LLC
Post Office Box 2085
Beaufort, South Carolina 29901
(843) 379-5117
Attorney for Appellant

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SC Court of Appeals

cc: **Minor, Haight & Arundell, P.C., Ehrick K. Haight, Esquire, P.O. Drawer 6067,
Hilton Head Island, SC 29938;**
**William T. Young, Esquire & Stephen Hughes, Esquire, Howell Gibson and
Hughes, PA, PO Box 40, Beaufort, SC 29901**