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Aug 09 2024

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM CHARLESTON COUNTY
Court of Common Pleas

Retired Judge J. C. Nicholson, Jr.
Court Appointed Special Referee

Case No. 2018-CP-10-00330

Fenwick Commons Homeowners Association, Inc.,

Plaintiff,

v.

Portrait Homes – South Carolina, LLC, Portrait Homes – Fenwick Commons, LLC, D.R. Horton, Inc., Samuel Glover d/b/a Glover's Brickworks, Glover's Brickworks, Inc., JJA Construction, Inc. d/b/a JJA Framing, JJA Construction, Inc. d/b/a JJA Framing Company, Jose Castillo d/b/a JJA Framing, Jose Castillo d/b/a JJA Framing Company, International Construction Services, Inc., International Construction Services, Inc., d/b/a International Construction, United Siding Specialists, Inc., Old Charleston Builders, LLC, Heritage Construction Consultants, Inc., Robert H. Yarnall d/b/a Heritage Construction Consultants, Inc., PNL Construction, LLC, Clear Choice Group, LLC, Built Right Construction, LLC, Alfonso Villavicencio d/b/a Alfonso's Painting, Alfonso Painting & Drywall, Inc., Diria Tawi Painting, Inc., Juan Luis Sanchez d/b/a Sanchez Brothers Painting, Sanchez Brothers Painting, Inc., Windward Shutters, LLC d/b/a Windward Hurricane Shutters, LLC, 84 Lumber Company, Builders Firstsource – Southeast Group, LLC, Americo Roofing Concepts, Inc., f/k/a Americo Roofing Concepts Enterprises, Inc., Americo Roofing Concepts, Inc. f/k/a American Roofing Concepts, Archer Exteriors, Inc., Professional Exteriors, LLC, Luciano Dias Gomes d/b/a Prestige Home Construction, Geraldo Da Cunha, Pablo Rojas Franco, Charles Gunter, Henry A. Palmer, Julio C. Crespo, Brasilican Contracting, LLC, Charles Bowser d/b/a CWB Services, Levi Arruda, Jose Geraldo Dos Reis, Leandro De Paulo Araujo, Helio A. De Rezende, Vinicius Araujo De Freitas a/k/a Vinicius Araujo, Robert M. Hughes d/b/a Robert's Vinyl Siding, Lucas Rodriguez Barcelos a/k/a Lucas Rodriguez Barcelos, Karla Bezerra, Rodrigo B. Vasoncelos, Rondinely G. Da Silva, W & M Vinyl Siding, LLC, Bar Contractors, Inc., William Construction Services, LLC, Donald Lee d/b/a Vinyl Siding Specialists,

Defendants, of whom D.R. Horton, Inc., is Cross-claim Plaintiff and Alfonso Villavicencio d/b/a Alfonso's Painting and Alfonso Painting & Drywall, Inc., are Cross-claim Defendants

D.R. Horton, Inc.,
Cross-claim Plaintiff and Appellant

v.

Alfonso Villavicencio d/b/a Alfonso's Painting and Alfonso Painting & Drywall, Inc.,
Cross-claim Defendants and Respondents,

AMENDED NOTICE OF APPEAL

D. R. Horton, Inc. ("Horton") appeals the following Orders of the Hon. J. C. Nicholson, Jr., Retired Circuit Judge serving as Court Appointed Special Referee, in favor of the Respondents Alfonso Villavicencio d/b/a Alfonso's Painting and Alfonso Painting and Drywall, Inc. (together "Alfonso") against Horton:

1. verbal Order from the bench on July 26, 2024, granting Alfonso's Motion for Summary Judgment, and
2. written Order dated July 30, 2024 granting Alfonso's Motion for Summary Judgment.

Written notice and a copy of the written Order was received by Horton on July 30, 2024. Written notice of entry of the Order was received by Horton on July 30, 2024. Written notice of the filing of the Order in the S.C. E-filing system was received by Horton on August 5, 2024.

August 8, 2024

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Defendants, of whom D.R. Horton, Inc., is Cross-claim Plaintiff and Alfonso Villavicencio d/b/a Alfonso's Painting and Alfonso Painting & Drywall, Inc., are Cross-claim Defendants and Respondents

D.R. Horton, Inc.,
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v.

Alfonso Villavicencio d/b/a Alfonso's Painting and Alfonso Painting & Drywall, Inc.,
Cross-claim Defendants and Respondents.

CERTIFICATE OF SERVICE AND FILING

The undersigned does hereby certify that on August 8, 2024 a copy of the Amended Notice of Appeal was served by email on the below counsel of record for the Cross-claim Defendants and Respondents by copy of this email and filed by electronic mail with the Clerk of Court for the South Carolina Court of Appeals in this proceeding.

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August 8, 2024

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