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Oct 31 2024

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM GREENVILLE COUNTY
Court of Common Pleas

G.D. Morgan, Jr., Circuit Court Judge

Case No.: 2024-CP-23-01585

Appellate Case No.: _____

Thomas Carswell, Jr.,

Plaintiff,

v.

John Doe, an unidentified
motorist,

Defendants,

NOTICE OF APPEAL

Thomas Carswell, Jr., hereby appeals the Order Granting Defendant's Motion for Judgement on the Pleadings of the Honorable G.D. Morgan, Jr., dated and filed with the Clerk of Court on October 1, 2024. Mr. Carswell filed a Motion for Reconsideration of the Court's Order pursuant to Rule 59 of the South Carolina Rules of Civil Procedure on October 11, 2024, which has not yet been adjudicated. However, out of an abundance of caution, Mr. Carswell hereby appeals the Court's Order Granting Defendant's Motion for Judgment on the Pleadings pending resolution of Plaintiff's Motion for Reconsideration

/s/Sam Tooker

Samuel B. Tooker (S.C. Bar # 78999)

DAVID R. PRICE, JR., P.A.

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Attorneys for the Appellant Thomas
Carswell, Jr.

Greenville, SC
Date: October 31, 2024

Other Counsel of Record:

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Company, appearing on behalf of John Doe

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(864) 232-4400 office
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Attorney for Progressive Northern Insurance
Company Pursuant to S.C. Code Ann. §38-77-
150

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Plaintiff,

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PROOF OF SERVICE

IT IS HEREBY CERTIFIED that a copy of the foregoing NOTICE OF APPEAL in this action was served upon: Susan Drake Dubose, Esq., counsel for Markel American Insurance Company, appearing on behalf of John Doe and Michael T. Coulter, Esq., counsel for Progressive Northern Insurance Company Pursuant to S.C. Code Ann. §38-77-150, via facsimile and by placing copies of same in the United States Mail this date, with sufficient postage affixed thereto, addressed as follows:

Via Facsimile & U.S. Mail (803) 779-3423
Susan Drake Dubose, Esq.
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Attorney for Markel American Insurance
Company, appearing on behalf of John Doe

Attorney for Progressive Northern Insurance
Company Pursuant to S.C. Code Ann. §38-77-
150

/s/Sam Tooker

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Attorney for the Appellant Thomas

Carswell, Jr.

Greenville, SC

Date: October 31, 2024

From: efiledonotreply@sccourts.org
To: [Sam Tooker](#)
Cc: [Thamara Alicea](#)
Subject: Courtesy NEF RE: 2024CP2301585
Date: Thursday, October 31, 2024 10:31:38 AM

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

A filing has been submitted to the court RE: 2024CP2301585

Official File Stamp: 10-31-2024 10:30:53 AM
Court: CIRCUIT COURT
Common Pleas
Greenville
Case Caption: Thomas Carswell Jr vs. John Doe
Document(s) Submitted: Appeal/Notice of Appeal to Court of Appeals
Filed by or on behalf of: Samuel Barton Tooker

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

The following people were served electronically:

Susan Drake DuBose for Markel American Insurance Company
Michael T. Coulter for Progressive Northern Insurance Company
Samuel Barton Tooker for Thomas Carswell, Jr

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

John Doe

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