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**Dec 03 2024**

**SC Court of Appeals**

THE STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

APPEAL FROM GREENVILLE COUNTY  
PERRY H. GRAVELY, CIRCUIT COURT JUDGE  
Case No. 2023-CP-23-00347

Nelson & Galbreath, LLC,.....Respondent,

v.

Eric K. Ricardo, Americas Signature Homes, LLC and  
Everardo A. Gutierrez, Defendants,

Of Whom Americas Signature Homes, LLC is the, .....Appellant.

**NOTICE OF APPEAL**

Appellant Americas Signature Homes, LLC (hereafter “Appellant”) appeals from the order filed October 30, 2024 that was received by the undersigned counsel for Appellant on October 30, 2024, and from the order denying reconsideration dated November 7, 2024 that was received by the undersigned counsel for Appellant on November 7, 2024. Copies of both orders are attached hereto as **Exhibits A** and **B**, respectively.

Respectfully submitted,

s/ Haley Hubbard

Desa Ballard (S.C. Bar No. 498)  
Harvey M. Watson III (S.C. Bar No. 74053)  
Haley Hubbard (S.C. Bar No. 103195)

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ATTORNEYS FOR APPELLANT

December 3, 2024

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ATTORNEY FOR RESPONDENT

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Everardo A. Gutierrez, Defendants,

Of Whom Americas Signature Homes, LLC is the, .....Appellant.

**PROOF OF SERVICE**

I, Beth Cogan, an employee with Ballard & Watson, do hereby certify that on December 3, 2024, I served a copy of the **Notice of Appeal** in the above-captioned case on the following individuals by electronic mail using their email address listed in the Attorney Information System, addressed as follows:

Bernie Ellis, Esquire  
Burr & Forman LLP  
bellis@burr.com



Beth Cogan, Paralegal

December 3, 2024

## Beth Cogan

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**From:** Beth Cogan  
**Sent:** Tuesday, December 3, 2024 10:34 AM  
**To:** Ellis, Bernie  
**Cc:** Haley Hubbard; Desa Ballard  
**Subject:** (Nelson & Galbreath v. Ricardo, et. al 2023-CP-23-00347) Ltr to COA encl NOA  
**Attachments:** 2024 12 03 Ltr to COA encl NOA.pdf; 2024 12 03 Notice of Appeal.pdf; A-2024 10 30 (filed) Order on Motion to Consolidate and MSJ.pdf; B-2024 11 07 (filed) Form 4 MTR denied.pdf; 2024 12 03 POS NOA.pdf

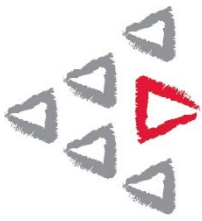
Mr. Ellis,

Please see the attached Notice of appeal that is being filed today for the above-referenced matter.

Kindest Regards,

-Beth

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December 3, 2024

Via Email ([ctappfilings@sccourts.org](mailto:ctappfilings@sccourts.org))  
The Honorable Jenny Abbot Kitchings  
Court of Appeals Clerk of Court  
Post Office Box 11629  
Columbia, South Carolina 29211

**RECEIVED**  
**Dec 03 2024**  
SC Court of Appeals

Re: *Nelson & Galbreath, LLC v. Eric K. Ricardo, et al.*  
Case No.: 2023-CP-23-00347

Dear Ms. Kitchings:

Enclosed for filing, please find a Notice of Appeal and Proof of Service for the above-referenced matter. Pursuant to paragraph (3)(c) of the Supreme Court's amended administrative order dated May 6, 2022 ("Methods of Electronic Filing and Service Under Rule 262 of the South Carolina Appellate Court Rules" originally dated August 25, 2021) a check for the filing fee is being forwarded separately via US mail.

By copy of this letter and as evidenced by the Proof of Service, this filing has been served upon counsel for the Respondent and is being filed with the Trial Court. If you have any questions, please do not hesitate to contact our office. With warm personal regards, I am,

Sincerely yours,

*Haley A. Hubbard*

Haley Hubbard  
haley@desaballard.com

Enclosures

cc: Via Email  
Bernie Ellis, Esquire  
America Ahumada