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SC Court of Appeals

IN THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM RICHLAND COUNTY
Court of Common Pleas

Thomas W. McGee, III, Circuit Court Judge

Case No. 2023-CP-40-03052
Appellate Case No. 2024-002074

Portundo M. Kimble, as Personal Representative
of the Estate of Devon Enrique Kimble, DeceasedAppellant-Respondent

v.

Jays Bar and Grill, LLCRespondent-Appellant

CROSS-NOTICE OF APPEAL

Jays Bar and Grill, LLC appeals the order of the Honorable Daniel Coble dated September 3, 2024, denying Defendant’s Motion for Reconsideration Pursuant to Rule 59(e), SCRCP (attached hereto as **Exhibit A**) regarding a prior order denying Defendant’s Motion to Set Aside Default. Respondent-Appellant received written notice of the Order denying Plaintiff’s Motion to Alter or Amend the 10/29/2024 Order Denying Plaintiff’s Motion for Damages in this case on **December 6, 2024**.

Respondent-Appellant received a notice of appeal from Appellant-Respondent, regarding the Order denying Plaintiff’s Motion to Alter or Amend the 10/29/2024 Order Denying Plaintiff’s Motion for Damages, on December 9, 2024.

January 2, 2025

Signature Page Follows

Sweeny, Wingate & Barrow, P.A.

s/Ryan C. Holt

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Daniel Q. Atkinson, SC Bar No. 105252

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IN THE STATE OF SOUTH CAROLINA
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Portundo M. Kimble, as Personal Representative
of the Estate of Devon Enrique Kimble, DeceasedAppellant-Respondent

v.

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PROOF OF SERVICE

I certify that I have served the Notice of Appeal on Portundo M. Kimble, as Personal Representative of the Estate of Devon Enrique Kimble, Deceased, by depositing a copy of it in the United States Mail, postage prepaid, on January 2, 2025, addressed to the attorneys of record, Ronald L. Richter at 18 Broad Street, Mezzanine Level, Charleston, SC 29401, Scott M. Mongillo at 18 Broad Street, Mezzanine Level, Charleston, SC 29401, and Eric S. Bland at 105 West Main Street, Suite D, Lexington, SC 29072.

January 2, 2025

s/Ryan C. Holt
Ryan C. Holt, SC Bar No. 78338
Sweeny, Wingate & Barrow, P.A.
Post Office Box 12129
Columbia, South Carolina 29211
(803)256-2233
Attorneys for Respondent-Appellant

Sandra Tribble

From: efiledonotreply@sccourts.org
Sent: Thursday, January 2, 2025 12:22 PM
To: Ryan C. Holt
Cc: Sandra Tribble
Subject: Courtesy NEF RE: 2023CP4003052

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

A filing has been submitted to the court RE: 2023CP4003052

Official File Stamp: 01-02-2025 12:21:12 PM
Court: CIRCUIT COURT
Common Pleas
Richland
Case Caption: Portundo M Kimble , plaintiff, et al vs Jays Bar And Grill Llc
Document(s) Submitted: Appeal/Notice of Appeal to Court of Appeals
Filed by or on behalf of: Ryan C. Holt

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

The following people were served electronically:

John R. Alphin for Jays Bar And Grill Llc
Ryan C. Holt for Jays Bar And Grill Llc
Brian Lincoln Craven for Jays Bar And Grill Llc
Ronald L. Richter, Jr. for Portundo M Kimble
Scott Michael Mongillo for Portundo M Kimble
Eric Steven Bland for Portundo M Kimble

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

The Estate Of Devon Enrique Kimble

~~~ CONFIDENTIALITY NOTICE ~~~ This message is intended only for the addressee and may contain information that is confidential. If you are not the intended recipient, do not read, copy, retain, or disseminate this message or any attachment. If you have received this message in error, please contact the sender immediately and delete all copies of the message and any attachments.

**RECEIVED**

**Jan 02 2025**

**SC Court of Appeals**

**S·W·B**

**SWEENEY WINGATE & BARROW P.A.**

January 2, 2025

Reply to: Main Office

**Ryan C. Holt**  
(803) 256-2233  
rch@swblaw.com

**VIA EMAIL**

Ms. Jenny Abbot Kitchings  
South Carolina Court of Appeals – Clerk of Court  
PO Box 11629  
Columbia, SC 29211

RE: Portundo M. Kimble, as Personal Representative of the  
Estate of Devon Enrique Kimble, Deceased v. Jays Bar and Grill, LLC  
Appellate Case No. 2024-002074  
Our File: 1080-15264

Dear Ms. Kitchings:

Enclosed herewith, please find Respondent-Appellant's Notice of Appeal, Exhibit A to the Notice of Appeal, a copy of the Proof of Filing with the lower court as required by Rule 203(d), SCACR, and a Proof of Service in the matter detailed above.

A check in the amount of \$250.00 for the filing fee will be sent via courier. If you have any questions or concerns, please feel free to reach out to us, and we will be glad to help.

Sincerely,

s/Ryan C. Holt

Ryan C. Holt

RCH/dqa

Enclosures

cc: (via email and first-class mail)  
John R. Alphin, Esquire, Ronald L. Richter, Esquire, Scott M. Mongillo, Esquire  
Eric S. Bland, Esquire