

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

69928

APPEAL FROM GREENVILLE COUNTY
Court of Common Pleas

Robin B. Stilwell, Circuit Court Judge

Case No.: 2012-CP-23-3738

Marathon Community Church,

Appellant,

v.

CIT Technology Financing Services,

Respondent.

NOTICE OF APPEAL

Appellant Marathon Community Church hereby appeals the Order of Robin B. Stilwell, dated August 28, 2013 and filed August 30, 2013.

Handwritten signature

Raymond T. Wooten (S.C. Bar # 81483)
SMITH, JORDAN, LAVERY & LEE, P.A.
Post Office Box 1207
Easley, South Carolina 29640
Phone: (864) 855-1661
Fax: (864) 855-1669
wooten@smithjordan.com

Attorney for Appellant

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SC Court of Appeals

Easley, South Carolina
September 26, 2013

THE STATE OF SOUTH CAROLINA
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APPEAL FROM GREENVILLE COUNTY
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Robin B. Stilwell, Circuit Court Judge

Case No.: 2012-CP-23-3738

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PROOF OF SERVICE

I certify that I have served the Notice of Appeal on all Counsel of Record to the address below by depositing a copy of it in the United States Mail with postage prepaid on September 26, 2013, as well as by via email and facsimile to all Counsel of Record.

Other Counsel of Record:

James Edward Bradley
MOORE, TAYLOR & THOMAS, P.A.
1700 Sunset Blvd.
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Attorney for Respondent

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STATE OF SOUTH CAROLINA
 COUNTY OF GREENVILLE
 IN THE COURT OF COMMON PLEAS

FORM 4

JUDGMENT IN CIVIL CASE

CASE NO. 2012 CP-23-03738

CIT Technology Financing Services, Inc.

Marathon Community Church

PLAINTIFF(S)

DEFENDANT(S)

| | |
|------------------------------------|-------------------------------------------------------------------------------------------------|
| Submitted by: James Edward Bradley | Attorney for : <input checked="" type="checkbox"/> Plaintiff <input type="checkbox"/> Defendant |
| | or <input type="checkbox"/> Self-Represented Litigant |

DISPOSITION TYPE (CHECK ONE)

- JURY VERDICT.** This action came before the court for a trial by jury. The issues have been tried and a verdict rendered.
- DECISION BY THE COURT.** This action came to trial or hearing before the court. The issues have been tried or heard and a decision rendered. See Page 2 for additional information.
- ACTION DISMISSED (CHECK REASON):** Rule 12(b), SCRPC; Rule 41(a), SCRPC (Vol. Nonsuit); Rule 43(k), SCRPC (Settled); Other
- ACTION STRICKEN (CHECK REASON):** Rule 40(j), SCRPC; Bankruptcy; Binding arbitration, subject to right to restore to confirm, vacate or modify arbitration award; Other
- DISPOSITION OF APPEAL TO THE CIRCUIT COURT (CHECK APPLICABLE BOX):**
 Affirmed; Reversed; Remanded; Other

NOTE: ATTORNEYS ARE RESPONSIBLE FOR NOTIFYING LOWER COURT, TRIBUNAL, OR ADMINISTRATIVE AGENCY OF THE CIRCUIT COURT RULING IN THIS APPEAL.

IT IS ORDERED AND ADJUDGED: See attached order (formal order to follow) Statement of Judgment by the Court:

ORDER INFORMATION

This order ends does not end the case.
 Additional Information for the Clerk :

Order grants summary judgment to Plaintiff as to liability leaving damages to subsequent hearing

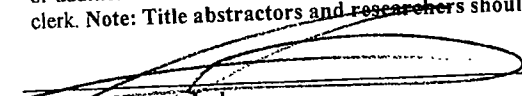
INFORMATION FOR THE JUDGMENT INDEX

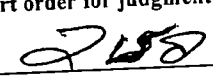
Complete this section below when the judgment affects title to real or personal property or if any amount should be enrolled. If there is no judgment information, indicate "N/A" in one of the boxes below.

| Judgment in Favor of (List name(s) below) | Judgment Against (List name(s) below) | Judgment Amount To be Enrolled (List amount(s) below) |
|----------------------------------------------|------------------------------------------|----------------------------------------------------------|
| | | \$ |
| | | \$ |
| | | \$ |

If applicable, describe the property, including tax map information and address, referenced in the order:

The judgment information above has been provided by the submitting party. Disputes concerning the amounts contained in this form may be addressed by way of motion pursuant to the SC Rules of Civil Procedure. Amounts to be computed such as interest or additional taxable costs not available at the time the form and final order are submitted to the judge may be provided to the clerk. Note: Title abstractors and researchers should refer to the official court order for judgment details.


 Circuit Court Judge
 2158


 Judge Code


 Date

STATE OF SOUTH CAROLINA
COUNTY OF GREENVILLE
IN THE COURT OF COMMON PLEAS

JUDGMENT IN A CIVIL CASE
CASE NO: 2012CP2303738

FILED CLERK OF COURT
GREENVILLE CO S.C.
PAUL B. WICKENSIMER

CIT Technology Financing Services Inc vs. Marathon Community Church

2013 AUG 30 P 12:32

CHECK ONE:

- JURY VERDICT.** This action came before the court for a trial by jury. The issues have been tried and a verdict rendered.
- DECISION BY THE COURT.** This action came to trial or hearing before the court. The issues have been tried or heard and a decision rendered.
- ACTION DISMISSED (CHECK REASON):**
 - SCRCP (Vol. Nonsuit); Rule 43(k), SCRCP (Settled); Rule 12(b), SCRCP; Rule 41(a),
 - Other: _____ Other: _____
- ACTION STRICKEN (CHECK REASON):**
 - Binding arbitration, subject to right to restore to confirm, vacate or modify arbitration award;
 - Other: _____ Rule 40(j) SCRCP; Bankruptcy;
- DISPOSITION OF APPEAL TO THE CIRCUIT COURT (CHECK APPLICABLE BOX):**
 - Affirmed; Reversed; Remanded;
 - Other: _____

NOTE: ATTORNEYS ARE RESPONSIBLE FOR NOTIFYING LOWER COURT, TRIBUNAL, OR ADMINISTRATIVE AGENCY OF THE CIRCUIT COURT RULING IN THIS APPEAL.

IT IS ORDERED AND ADJUDGED: See attached order; Statement of Judgment by the Court:

NOTICE

This is a notice to you that an Order Granting Plaintiff Summary Judgment in this case has been filed in the Clerk of Court's Office. To obtain a certified copy, you may contact our office by phone (864) 467-8551 or email a request to dajones@greenvillecounty.org. If you would like a copy via email, please provide a valid email address.

Dated at Greenville, South Carolina, this .

Court Reporter:

PRESIDING JUDGE -

James Edward Bradley PO Box 5709 West
Columbia, SC 29171

ATTORNEY(S) FOR THE PLAINTIFF(S)

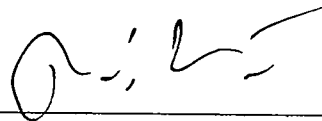
Raymond Talmage Wooten Smith, Jordan, Lavery
& Lee, P.A. P.O. Box 1207 Easley, SC 29641

ATTORNEY(S) FOR THE DEFENDANT(S)

Paul B. Wickensimer Greenville County Clerk Of Court
- Clerk of Court

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Attorney for Ricoh Americas Corporation



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Attorney for Appellant

Easley, South Carolina
September 26, 2013

Ronnie L. Smith †
W. Grady Jordan
C. Nicholas Lavery
Beth Manning Lee



James E. Sterling
Raymond T. Wooten *

† Of Counsel
* Licensed in SC and GA

September 26, 2013

Honorable Jenny Abbott Kitchings
Clerk of the South Carolina Court of Appeals
P.O. Box 11629
Columbia, SC 29211

**Re: CIT Technology Financing Services, Inc., vs. Marathon
Community Church C/A No. 2012-CP-23-3738**

Dear Mrs. Kitchings:

Enclosed the following documents to file an Appeal regarding the above referenced matter:

1. Notice of Appeal
2. Proof of Service of the Notice of Appeal on the Respondent.
3. A copy of the letter requesting the hearing transcript
4. A copy of the Order of the Honorable Robin B. Stilwell which is to be challenged on appeal.
5. A filing fee of \$100.00.

With kindest regards, I remain

Sincerely,

Raymond T. Wooten

RTW/jyl
Enclosures
cc: Client
James Edward Bradley
Thomas E. Lydon

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SC Court of Appeals

EASLEY ◦ GREENVILLE ◦ CLEMSON

1810 East Main Street • Post Office Box 1207 • Easley, SC 29641 • 864-855-1661 PHONE • 864-855-1685 FAX
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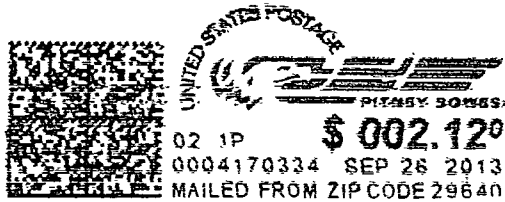
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Attorney for Ricoh Americas Corporation



§ Smith Jordan
Smith Jordan Lavery & Lee P.A.
ATTORNEYS AT LAW
Post Office Box 1207
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TO:

Honorable **Jenny Abbott Kitchings**
Clerk of the South Carolina Court of Appeals
P.O. Box 11629
Columbia, SC 29211

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SC Court of Appeals