

**RECEIVED**

**Mar 05 2025**

**SC Court of Appeals**

AMENDED  
NOTICE OF APPEAL IN A CIVIL CASE

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

—  
APPEAL FROM RICHLAND COUNTY  
Court of Common Pleas

Jocelyn Newman, Circuit Court Judge

—  
Civil Action No. 2024-CP-40-0580

Appellate Case No. 2025-000221

Franklin J. Boyles,

Appellant,

vs.

C and C Masonry, Inc.,  
Juneau Construction Company, LLC., and  
University of South Carolina,

Respondents.

—  
AMENDED NOTICE OF APPEAL  
—

Franklin J. Boyles hereby files this amended appeal to appeal the improper granting and order of the Honorable Jocelyn Newman dated February 3, 2025, and dated February 24, 2025. The Appellant received notice of entry of this order on February 4, 2025 and February 24, 2025, improperly granting the Respondent, University of South Carolina's 12(b)(6) Motion of Dismissal on a legal issue and question of law.

Date: Wednesday, March 5, 2025

Respectfully submitted,  
s/ Lola Stradford Richey  
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**PROOF OF SERVICE OF AMENDED  
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APPEAL FROM RICHLAND COUNTY  
Court of Common Pleas

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Franklin J. Boyles,

Appellant,

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Respondents.

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**PROOF OF SERVICE**

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I certify that our law office has served the Amended Notice of Appeal on the counsels of record via email on March 5, 2025, addressed to the legal counsel of record as follows:

Lake Summers [summers@mtsolaw.com](mailto:summers@mtsolaw.com)

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Respectfully submitted,

By: *s/ Lola Stradford Richey*

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South Carolina Bar Number: 8931

Dated: Wednesday, March 5, 2025

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**SC Court of Appeals**

March 5, 2025

The Honorable Jenny Abbott Kitchings  
Clerk of Court  
South Carolina Court of Appeals  
Post Office Box 11629  
Columbia, South Carolina 29211

Re: *Franklin J. Boyles v. C and C Masonry, Inc., Juneau  
Construction Company, LLC, and University of South  
Carolina*

Appellate Case: 2025-000221

Civil Action Number: 2024-CP-40-05809

Date of Accident: September 13, 2022

Location of Accident: Richland County

Dear Ms. Kitchings:

Enclosed for filing is an Amended Notice of Appeal in the above case. Also enclosed are the following:

- (1) Proof of service of the Amended Notice of Appeal on the Respondents.
- (2) A copy of the February 24, 2025 Order from the Court of Common Pleas which is to be challenged on appeal.
- (3) Proof of service of hearing transcript request.

If you should have any questions, please do not hesitate to contact our law office.

With best wishes and warmest regards, I am

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**Richey and  
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Workers' Compensation  
Personal Injury  
Criminal Law

Truly yours,

*Lola S. Richey*

Lola S. Richey  
Attorney at Law  
Enclosures

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