

THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

APPEAL FROM RICHLAND COUNTY
JOCELYN NEWMAN, CIRCUIT COURT JUDGE
Case No. 2019-CP-40-04567

Health Promotion Specialists, LLC,Appellant,

v.

South Carolina Department of Health and Environmental
Control, The South Carolina Dental Association,
Dr. Richard E. Boyd, as Personal Representative of the
Estate of Rocky Napier, and one or more John Does,
Unidentified current or former agents of South Carolina
Department of Health and Environmental Control, Defendants,

of which South Carolina Department of Health and Environmental
Control, LLC are the, Respondents.

NOTICE OF APPEAL

Appellant Health Promotion Specialists, LLC (hereafter “Appellant”) appeals from the trial court’s (1) Order Granting in Part and Denying in Part South Carolina Department of Mental Health and environmental Control’s Motion to Dismiss Pursuant to Rule 12(b)(6), SCRCF that was filed on September 11, 2023, which was received by Appellants on September 11, 2023. Appellants also appeal from the trial court’s (2) Order Granting South Carolina Department of Health and Environmental Control’s Motion to Reconsider Order and Order of Dismissal of Plaintiff’s Remaining Claims Pursuant to Rule 12(b)(6), SCRCF that was filed December 10, 2024, which was received by Appellants on December 10, 2024. Appellants also appeal from the trial court’s (3) Form 4 Order filed February 25, 2025, which was received by Appellants on February 25, 2025.

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 APPELLANTS

March 26, 2025

Other counsel of record:

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ATTORNEY FOR RESPONDENTS

RECEIVED

Mar 26 2025

SC Court of Appeals

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PROOF OF SERVICE

I, Beth Cogan, an employee with Ballard & Watson, do hereby certify that on March 26, 2025, 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:

Joey Floyd, Esquire
BRUNER POWELL WALL & MULLINS, LLC
jfloyd@brunerpowell.com



Beth Cogan, Paralegal

March 26, 2025



Ballard & Watson
Attorneys at Law
PERSISTENT. UNWAVERING.

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March 26, 2025

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

RECEIVED
Mar 26 2025
SC Court of Appeals

Re: *Health Promotion Specialists, LLC. v. SC Dept. of Health and Environmental Control, et al.*
Case No.: 2019-CP-40-04567

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 Hubbard
haley@desaballard.com

Enclosures

cc: Via Email
Joey Floyd, Esquire
Tammi Byrd