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Apr 08 2025

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM SPARTANBURG COUNTY
Court of Common Pleas

R. Keith Kelly, Circuit Judge
J. Derham Cole, Sr., Circuit Judge

Case No. 2024-CP-42-01645

Appellate Case No. 2025-000627

PNC Bank, N.A., successor by
merger to PNC Equipment Finance,
LLC,

Respondent,

v.

S & J Asphalt Paving, LLC, Jose
Luis Guerrero, and Scott Robert
Ronson,

Appellants.

AMENDED NOTICE OF APPEAL

S & J Asphalt Paving, LLC, Jose Luis Guerrero, and Scott Robert Ronson appeal the Order of the Honorable R. Keith Kelly, Circuit Judge, dated February 19, 2025, substituting PNC Bank, N.A. as Plaintiff in this matter. Appellants received written notice of entry of this Order on February 20, 2025. Appellants further appeal the Order of the Honorable R. Keith Kelly, Circuit Judge, denying Appellant's Motion to Reconsider (filed on February 25, 2025) dated March 31, 2025. Appellants received written notice of the entry of this Order on March 31, 2025. Appellants further appeal the Order of the Honorable J. Derham Cole, Sr., Circuit Judge, dated November 20, 2024, denying Appellants Motion for Judgment on the Pleadings. Appellants received written notice of entry of this Order on November 21, 2024. Appellants filed a Motion to Reconsider Judge Cole's Order on November 21, 2024, and Appellants' Motion was denied by a Form 4 Order

issued by Judge Cole dated April 8, 2025. Appellants received written notice of the entry of Judge Cole's Order denying reconsideration on April 8, 2025.

Respectfully submitted,

s/ W.H. McAbee III
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Date: April 8, 2025
Greenville, South Carolina

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S & J Asphalt Paving, LLC, Jose
Luis Guerrero, and Scott Robert
Ronson,

Appellants.

PROOF OF SERVICE

I certify that I have served Appellants' Amended Notice of Appeal on the Respondent by sending a copy of the same to Respondent's counsel at the e-mail addresses listed below and which are on file in the Attorney Information System. A copy of the e-mail serving opposing counsel is attached hereto.

Respectfully submitted,

s/ W.H. McAbee III

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Attorney for the Appellants

Date: April 8, 2025

Greenville, South Carolina

Other Counsel of Record:

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Attorneys for the Respondent

From: [Willie H. McAbee, III](#)
To: [Rachel Rogers](#)
Cc: [Thomas A. Gray](#); [Melissa Tulis Smith](#); [Byron L. Saintsing](#); [Cara Geloni](#)
Subject: FW: Amended Notice of Appeal
Date: Tuesday, April 8, 2025 12:46:56 PM
Attachments: [image001.png](#)
[Proof of Service for Amended Notice of Appeal.pdf](#)
[Amended Notice of Appeal.pdf](#)

I apologize. That Notice of Appeal failed to include the appellate case number assigned by the Court of Appeals. Please find the corrected Amended Notice of Appeal which does reflect the appellate case number. Should you require anything else please do not hesitate to contact me.

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From: Willie H. McAbee, III
Sent: Tuesday, April 8, 2025 12:38 PM
To: Rachel Rogers <RRogers@smithdebnamlaw.com>
Cc: Melissa Tulis Smith <MTulis@smithdebnamlaw.com>; Byron L. Saintsing <bsaintsing@smithdebnamlaw.com>; Thomas A. Gray <tgray@smithdebnamlaw.com>
Subject: Amended Notice of Appeal

Counselors:

As Judge Cole has ruled upon Appellants' motion to reconsider please find attached a copy of Appellants Amended Notice of Appeal. We will be filing this with the Court of Appeals shortly. Please also find attached a copy of our Proof of Service. Please do not hesitate to contact me if you require anything further.

Best regards,

Will McAbee

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