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Apr 10 2025

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM HORRY COUNTY

Court of Common Pleas

The Honorable Benjamin H. Culbertson,
The Honorable H. Steven DeBerry, IV

Case No. 2023-CP-26-02475

Appellate Case No. 2024-000440

Nicholas F. Wilson.....Appellant,

v.

Janet P. Gochenour; Janet P. Gochenour Trustee; James B. Parker; James B. Parker, Sr.; Mary Ann Parker; Kenneth Gregory Moore; R&G Corp. d/b/a Century 21 The Harrelson Group; Patton Development SC, LLC; Select Portfolio Servicing, Inc.; Sonia M. Raymond; Raymond Law Firm, P.A.;

..... Respondents.

**APPELLANT NICHOLAS F. WILSON’S MOTION TO AMEND
DESIGNATION OF MATTER AND RECORD ON APPEAL**

/s/Wesley D. Few
Wesley D. Few, S.C. Bar. No. 15565
WESLEY D. FEW, LLC
Post Office Box 9398
Greenville, South Carolina 29605
(864) 527-5906 | wes@wesleyfew.com

Attorneys for Appellant Nicholas F. Wilson

MOTION TO AMEND DESIGNATION OF MATTER / RECORD ON APPEAL

Appellant Nicholas F. Wilson (“Wilson”), pursuant to Rule 240, by and through his undersigned attorneys, hereby moves the Court to file his Amended Designation of Matter and to Amend the Record on Appeal. The documents to be included are described as follows:

- Proposed R. p. 257: Recorded Plat, Horry County, Mar. 5, 2020, Bk 291, Pg 324;¹ and
- Proposed R. p. 258-59: Horry County GIS (printout) for driveway, PIN 36201010005.²

These documents are attached to this filing. Appellant sought consent of the Respondents to amend the Designation of Matter and Record on Appeal by email on April 6, 2025. The only responses received were objections. Appellant explained that these matters are both within the purview of admissible evidence under S.C. Rule of Evidence 201, however, none of the Respondents changed their positions based on that position.

Appellant would respectfully state that no Respondent is prejudiced by the addition of these documents to the Record on Appeal. Further, no Respondent asserted they were prejudiced, nor did any Respondent move to strike these matters from the record, despite their being mistakenly left off of the Appellant’s Designation of Matter.

For these reasons, Appellant requests the Court allow these 3 pages to be added to the Record on Appeal.

[signature on next page]

¹ This plat is a publicly recorded instrument, at Book 291, Page 324, in Horry County RMC / Register of Deeds Office, and was identified and described in Appellant’s Final Brief at p. 3, and Final Reply Brief at p. 16, however, Appellant neglected to include it in his Designation of Matter or Record on Appeal. This is the plat (7.75 acres) that was substituted for the “Original Survey” showing 8.24 acres at R. p. 1, 15, 35, 38, and 52.

² This document was referenced at p. 3 of Appellant's Initial Brief, but was not included in his DOM.

Respectfully submitted,

WESLEY D. FEW, LLC

s/Wesley D. Few

Wesley D. Few, S.C. Bar. No. 15565

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Greenville, South Carolina 29605

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Attorneys for Appellant Nicholas F. Wilson

April 10, 2025
Greenville, South Carolina

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In The Court of Appeals

IN THE COURT OF COMMON PLEAS
HORRY COUNTY
15th Judicial Circuit

Benjamin H. Culbertson, Circuit Court Judge
H. Steven DeBerry, IV, Circuit Court Judge

CASE NO.: 2023-CP-26-02475

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James B. Parker, Sr.; Mary Ann Parker; Kenneth Gregory Moore; R&G Corp., d/b/a
Century 21 The Harrelson Group; Patton Development SC, LLC; Select Portfolio
Servicing, Inc.; Sonia M. Raymond; and Raymond Law Firm, P.A.,

Respondents.

**APPELLANT NICHOLAS F. WILSON'S PROPOSED AMENDED DESIGNATION
OF MATTER TO BE INCLUDED ON THE RECORD OF APPEAL**

Wesley D. Few (S.C. Bar # 15565)
Wesley D. Few, LLC
Post Office Box 9398
Greenville, SC 29604
(864) 527-5906 | wes@wesleyfew.com

Attorney for Appellant Nicholas F. Wilson

April 10, 2025

Greenville, South Carolina

Appellant designates the following documents to be included in the Record on Appeal:

Transcripts:

1. Transcript of Hearing dated Sept. 7, 2023;

Pleadings:

1. Lis Pendens and Exhibit A to same, filed March 31, 2023;
2. Amended Lis Pendens and Exhibit A to same, filed April 19, 2023;
3. Verified Complaint and Exhibits 1-3, filed April 19, 2023;
4. Proposed Amended Verified Complaint and Exhibits 4-6, filed Dec. 4, 2023;
5. Respondents Raymond Law Firm Motion to Dismiss, filed May 24, 2023;
6. Respondent Gochenour Motion to Dismiss, filed June 14, 2023;
7. Plaintiff's Memorandum in Opposition to Motions to Dismiss, filed Sept. 7, 2023;
8. Plaintiff's Rule 59 Motion to Alter or Amend, filed Sept. 18, 2023;
9. Respondent Raymond's Memorandum in Opposition to Rule 59 Motion, filed Oct. 5, 2023;
10. Plaintiff's Reply in Support of Rule 59 Motion, filed Dec. 6, 2023;
11. Plaintiff's Motion to Amend Complaint, filed Dec. 5, 2023;
12. Respondent Century 21 Motion to Dismiss, filed Feb. 7, 2024;
13. Respondent Parkers Motion to Dismiss, filed Feb. 14, 2024;
14. Plaintiff's Memorandum in Support of Motion to Amend (with Exhibits 1-3), filed Feb. 23, 2024;
15. Plaintiff's Motion to Alter or Amend or Relief from Feb. 7, 2024 Order, filed Feb. 27, 2024;
16. Notice of Appeal, filed March 15, 2024;

Orders:

1. Sept. 7, 2023, Order Dismissing Claims on Statute of Limitations;
2. Feb. 7, 2024, Order Denying Plaintiff's Rule 59 Motion to Alter or Amend Sept. 7, 2023 Order;
3. March 12, 2024, Order Denying Motion to Amend Complaint

Other:

1. July 22, 2021, Plaintiff email to Respondent Flagstar Bank, N.A.;
2. Jan. 29, 2024, Plaintiff counsel's letter to Judge Culbertson;

3. Proposed R. p. 257: Recorded Plat, Horry County, Mar. 5, 2020, Bk 291, Pg 324;¹ and
4. Proposed R. p. 258-59: Horry County GIS (printout) for driveway, PIN 36201010005.²

I certify that this designation contains no matter which is irrelevant to this appeal.

Respectfully submitted,

/s/ Wesley D. Few

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Greenville, SC 29604

(864) 527-5906 | wes@wesleyfew.com

Attorneys For Appellant Nicholas F. Wilson

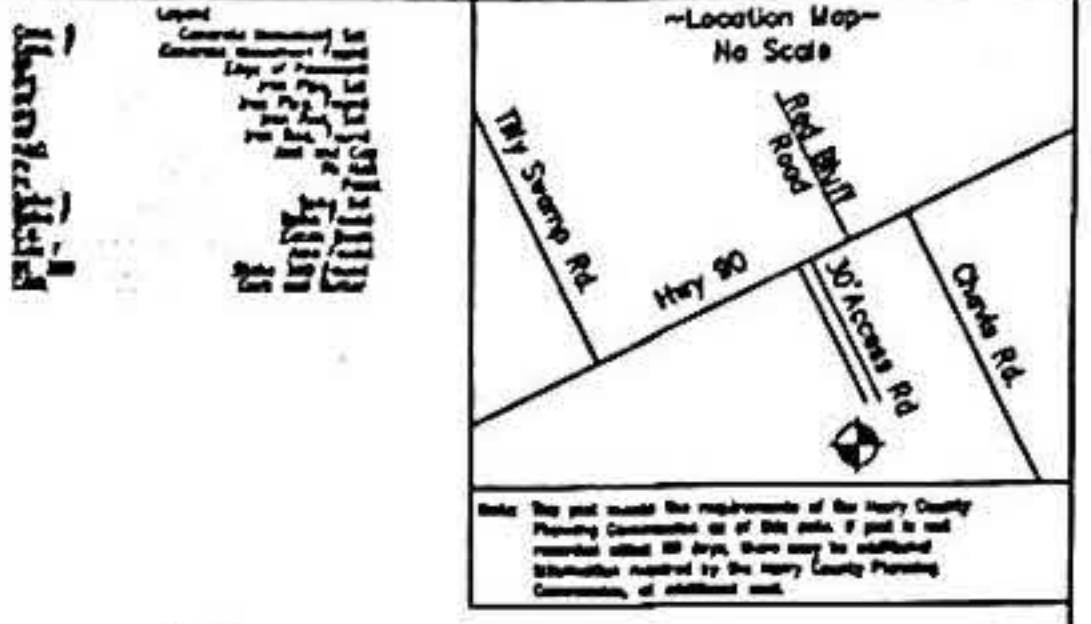
Greenville, South Carolina
April 10, 2025

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CURVE	TRAD	US	ARC	LENGTH	CHORD	LENGTH	CHORD	BEARING	BEARING	ANGLE	TANGENT
C1	50.00	57.99		54.79		S 04°48'05" W	166.2641				37.75
C2	50.00	103.63		88.05		N 82°36'00" W	118.4500				84.48
C3	50.00	174.00		87.43		N 19°10'35" E	84.4809				45.60

LINE	BEARING	DISTANCE
L1	S 35°01'36" E	5.88
L2	N 61°43'14" E	29.82
L3	S 21°11'54" E	35.23
L4	S 21°38'31" E	86.79
L5	S 41°27'12" E	23.07
L6	S 03°58'55" W	38.74
L7	S 28°29'22" E	16.58
L8	S 28°16'46" E	110.71
L9	S 27°22'04" E	39.22
L10	N 83°12'43" E	29.22
L11	S 29°20'48" E	19.22
L12	S 28°41'08" E	28.41
L13	N 69°45'47" E	30.37
L14	N 61°43'14" E	390.87
L15	S 28°45'14" E	25.36
L16	S 61°43'14" W	394.02



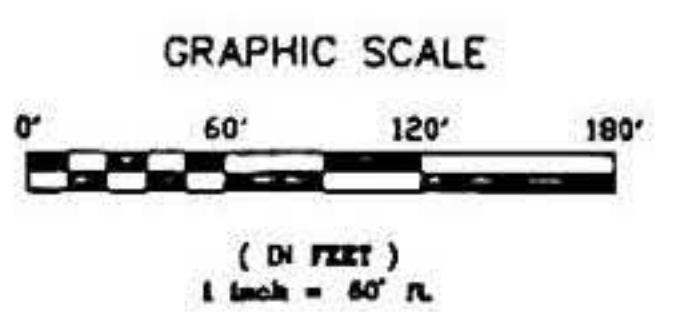
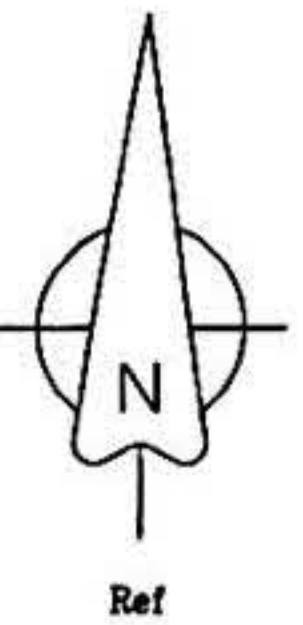
Notes:

- The 100-Year Flood Boundary was obtained directly from FEMA Flood Map 450100 535 H. (effective date August 23, 1999). This property is located in Flood Zone "X" A "X-Out" Flood Zone locations are noted from current FEMA maps. Scores vary from 1"=500' to 1"=2000' and are noted as being approximate on said maps. Kenneth B. Jordan, P.L.S. does not verify or assume responsibility of the accuracy of the flood zone lines. Flood lines are subject to verification by the County FEMA Office.
- This plot was prepared without the benefit of a title report. Property is subject to all restrictions noted in recorded deeds and/or established by recorded plans.
- There has been no determination of wetlands or hazardous waste on this property.

References:

- DB 1794/850, 2255/802, 4216/2966, 4211/875, 4155/2666, 720/130 DB 4257/3174, PB 288/341
- Plot by S.D. Cox, "Completed" dated July 20, 1951. Entitled, "Map of 128.1 Acres", Prepared for Alton Parker, DB 781/480
- Right of Way Easement by Harry Electric Dated 2-28-1877 for Janet and Olin Gochenour being 25' in Width, Documentation held by Harry Electric Co. of Conway is not shown in Harry County R.O.S. Harry Electric Co-Op Number 118-11-7

SC Highway 90 (75' Public RW)



CERTIFICATE OF SURVEY AND LOCATION

The undersigned hereby certifies that I am (we are) the owner(s) of the property shown and described herein and that I (we) hereby submit this (this) plan of subdivision to Harry County for record and that I (we) hereby declare all herein described parcels to be separate and distinct as indicated on said plan.

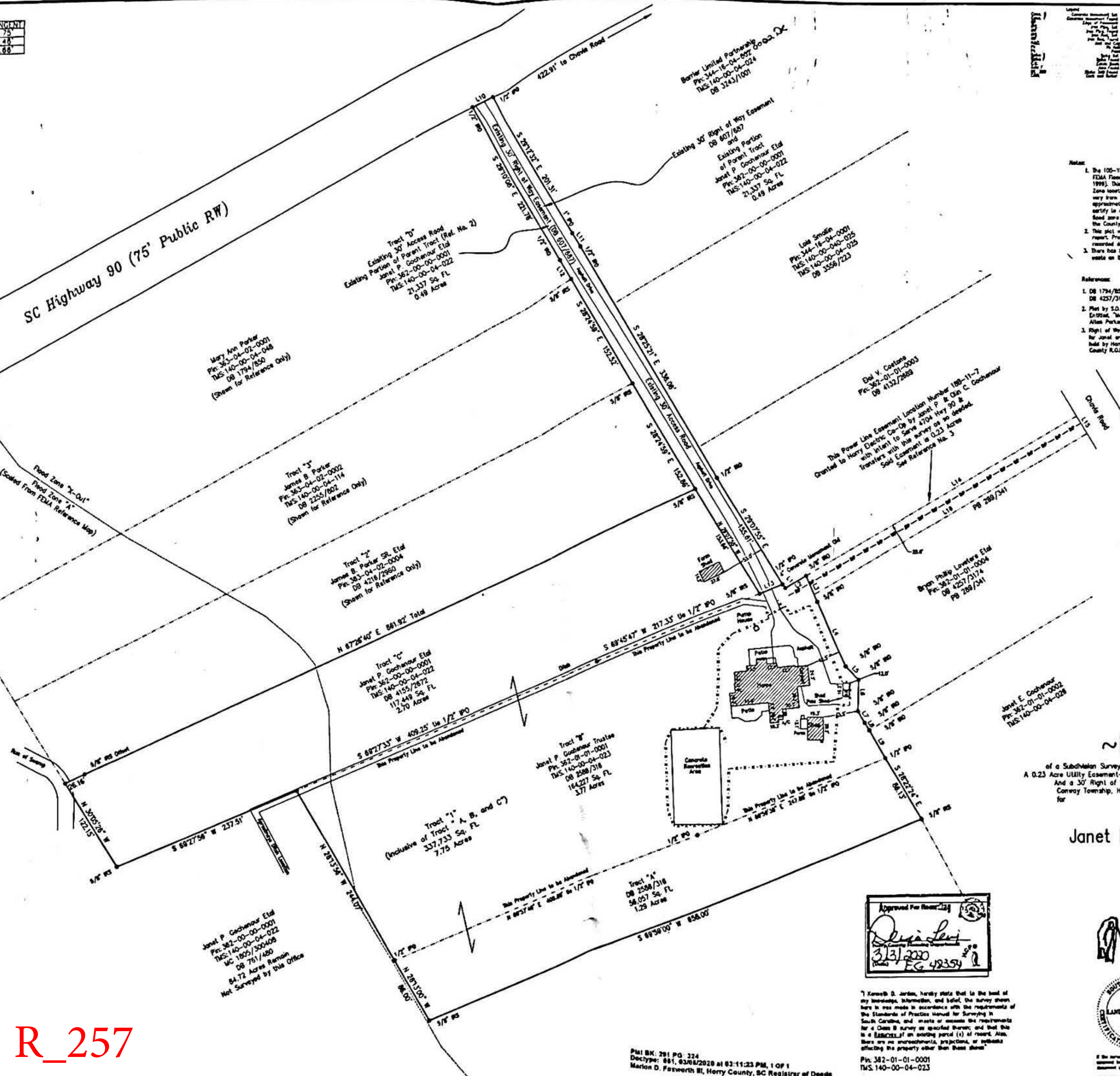
Janet Gochenour 2/1/20
Printed Name Signature Date

Janet Gochenour
Printed Name Signature Date

Printed Name Signature Date

Printed Name Signature Date

R_257



~Plat~

of a Subdivision Survey creating Tract 1 having 7.75 Acres
A 0.23 Acre Utility Easement-As Noted & Serving Address 4704 Hwy 90
And a 30' Right of Way Easement, All being located in
Conway Township, Harry County, S. C. surveyed
for

Janet P. Gochenour

Approved For Record
Devin Lewis
3/31/2020
EG 49254

K & R LAND SURVEYORS, INC.
Surveyors - Land Planners
312 Laurel Street - Conway, SC 29528
(843) 458-1804
Fax: (843) 248-8184



I, Kenneth B. Jordan, hereby state that in the best of my knowledge, information, and belief, the survey shown here in was made in accordance with the requirements of the Standards of Practice Manual for Surveying in South Carolina, and in order to ensure the requirements for a Class B survey as specified herein; and that this is a REPRODUCTION of a surveying plan, or a portion thereof, as shown on the original plan, or a portion thereof, as shown on the original plan, or a portion thereof, as shown on the original plan.

If the surveyor's signature is not on the plan, the plan is not valid. The surveyor's signature must be on the plan, and the plan must be filed with the County Register of Deeds.

© 2020 K & R Land Surveyors, Inc. Kenneth B. Jordan, P.L.S.
The surveyor is not responsible for the accuracy of other surveys, but will verify the same if requested.

Pin: 362-01-01-0001
TMS: 140-00-04-023
Pin: 362-00-00-0001
TMS: 140-00-04-022

Plot BK: 291 PG: 324
DocType: 881, 83/8/2020 at 03:11:23 PM, 1 OF 1
Marion D. Foxworth III, Harry County, SC Registrar of Deeds

Drawer F-07B3 B
CSW 0003 20190598 kdj

www.horrycountygis.com

GIS Parcel Application

36201010005

30' ROW ES

Parcel Type: 8

Zoning Code: CFA

Municipality: NONE

Zip Code: 29526

District: 100

Legal Desc. (Legal Description): TRACT D

Square Footage: 21437.69

Acreage: 0

Dist. (Council District) Name: DISTRICT 10

Dist. (Council District) Population: -

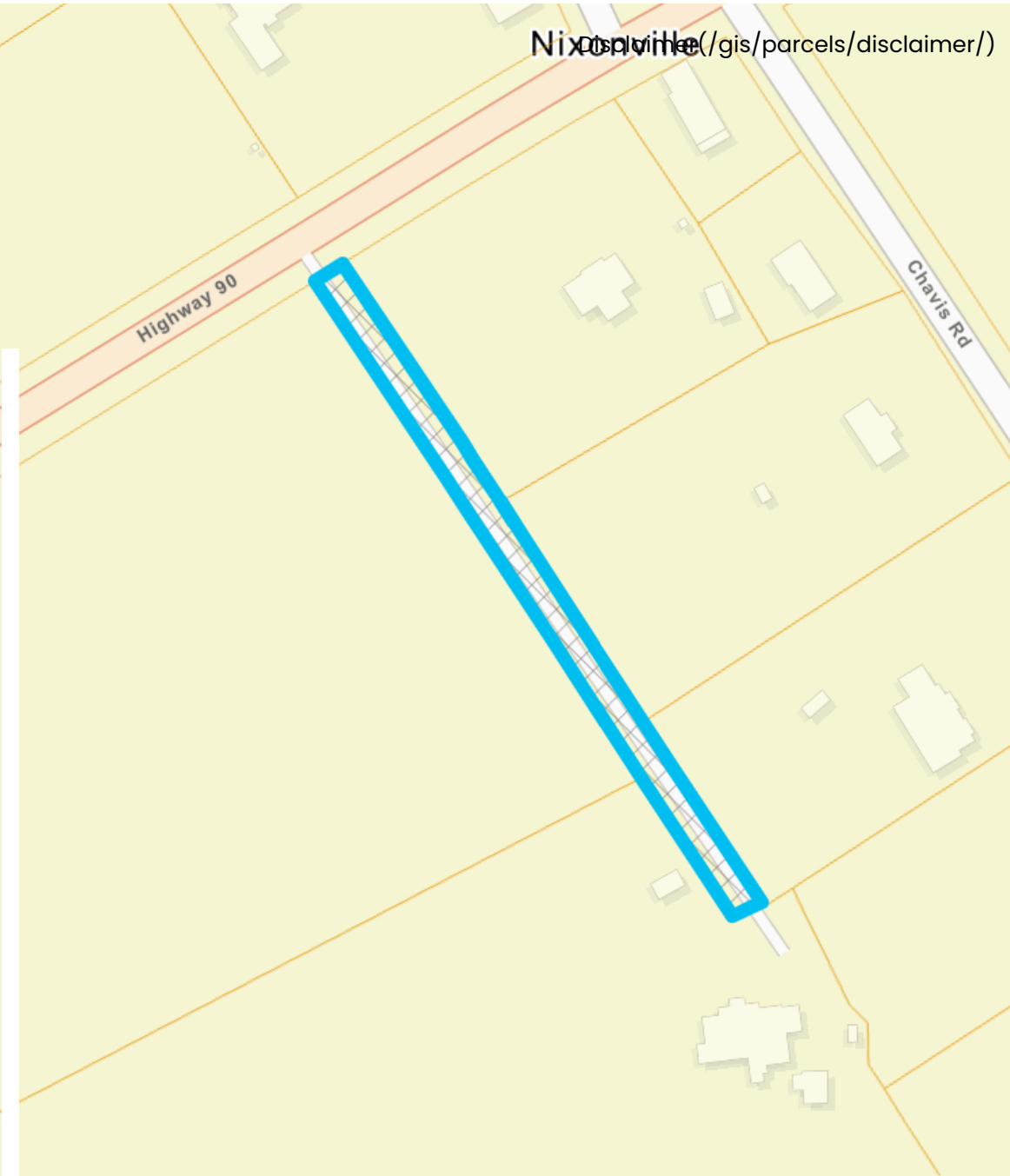
Owner Address: 2015 HAZLETTE LOOP
CONWAY, SC 29526

Condo Label:

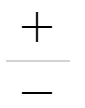
Lots:

Deed Book:

Deed Page:



R_258



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THE STATE OF SOUTH CAROLINA
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APPEAL FROM HORRY COUNTY

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The Honorable Benjamin H. Culbertson,
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Greenville, South Carolina 29605
(864) 527-5906 | wes@wesleyfew.com

Attorneys for Appellant Nicholas F. Wilson

PROOF OF SERVICE

The undersigned hereby certifies that on April 11, 2025, **Appellant Nicholas F. Wilson’s Motion to Amend Designation of Matter and Record on Appeal** was served on all counsel of record, Court of Appeals Clerk of Court and Supreme Court of South Carolina Clerk via Email as follows:

The Honorable Jenny Abbott Kitchings
South Carolina Court of Appeals, Clerk of Court
Post Office Box 11629
Columbia, South Carolina 29211
ctappfilings@sccourts.org

Claude Townsend Prevost, III, Esq., cprevost@collinsandlacy.com
Jacqueline M. Pavlicek, Esq., jpavlicek@collinsandlacy.com

Alexander Hray Jr., Esq., lex@lexhray.com

Matthew Douglas Patterson, Esq., matt.patterson@nelsonmullins.com
Blake Terence Williams, Esq., blake.williams@nelsonmullins.com

Bruce Wallace, Esq., BUWallace@maynardnexsen.com
Rhett Ricard, Esq., RRicard@maynardnexsen.com

Janet P. Gochenour
2015 Hazlette Loop
Conway, SC 29526

James B. Parker Sr. and Mary Ann Parker
919 Waterton Avenue
Myrtle Beach, SC 29579

/s/Cassy Young
Cassy Young

April 10, 2025
Columbia, South Carolina

WESLEY D. FEW, LLC

Attorney at Law

P.O. Box 9398, Greenville, South Carolina 29604

www.wesleyfew.com | wes@wesleyfew.com

O: 864-527-5906 | M: 864-404-7792

April 10, 2025

Via Email-Filing:

The Hon. Jenny Abbott Kitchings, Clerk of Court
South Carolina Court of Appeals
P.O. Box 11629
Columbia, South Carolina 29211
ctappfilings@sccourts.org

RE: Nicholas F. Wilson v. Janet P. Gochenour et al
Appellate Case No.: 2024-000440
Circuit Court Case No. 2023-CP-26-02475
Our File No.: 00334-001

Dear Ms. Kitchings:

Enclosed for filing is Appellant's Motion to File Amended Record on Appeal Documents, Amended ROA and documents (3 pages of public documents identified as 257 and 258-259) and Proof of Service for same. The motion filing fee check will be hand delivered.

If you have any questions or need anything further, please contact me at either number above.

Sincerely Yours,



Wesley D. Few

Enclosures

WDF/cgy

CC: All Counsel of Record (*Via Email*)
Pro Se Parties
Client (*Via Email*)