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The State of South Carolina
In the Court of Appeals

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MAR 27 2026

Appeal from Horry County
Court of Common Pleas

SC Court of Appeals

Benjamin H. Culbertson, Circuit Court Judge

Case No. 2023-CP-26-03658

Komonick Sinclair,

Appellant,

v.

Allen's Food Basket Inc.; Gabriel's Breakfast and Grill at Allen's Food Basket, LLC d/b/a Gabriel's Grill; Allen's Food Basket a/k/a Allen's Food Basket Grill; Wesley Allen a/k/a J. Wesley Allen; Patricia A. Blanton; J. Wesley Allen Revocable Living Trust; J. Wesley Allen in his capacity as Trustee of the J. Wesley Allen Revocable Living Trust; Patricia A. Blanton in her capacity as Trustee of the J. Wesley Allen Revocable Trust; Gabe Jackson a/k/a Gabriel Jackson; James D. Lewis; & Shirley A. Lewis,
of which,

Defendants,

Wesley Allen a/k/a J. Wesley Allen; Patricia A. Blanton; J. Wesley Allen Revocable Living Trust; J. Wesley Allen in his capacity as Trustee of the J. Wesley Allen Revocable Living Trust; & Patricia A. Blanton in her capacity as Trustee of the J. Wesley Allen Revocable Trust, are

Respondents,

Notice of Appeal

Komonick Sinclair (hereinafter, "Appellant") appeals the order of the Honorable Benjamin H. Culbertson dated October 21, 2025. Appellant received

written notice of entry of this order on October 21, 2025. On October 24, 2025, Appellant filed a timely motion to reconsider pursuant to Rule 59(e), SCRCP. The Honorable Benjamin H. Culbertson denied that motion to reconsider by written Form 4 Order on March 2, 2025. Appellant received written notice his Rule 59(e), SCRCP, motion was denied on March 2, 2026.

Appellant, therefore, appeals the following orders from the Honorable Benjamin H. Culbertson:

1. The October 21, 2025 Order granting Wesley Allen a/k/a J. Wesley Allen; Patricia A. Blanton; J. Wesley Allen Revocable Living Trust; J. Wesley Allen in his capacity as Trustee of the J. Wesley Allen Revocable Living Trust; & Patricia A. Blanton in her capacity as Trustee of the J. Wesley Allen Revocable Trust's collection motion for summary judgment; and,
2. The March 2, 2026, Order denying Appellant's Rule 59(e), SCRCP, motion.

Smith Born Leventis Taylor & Vega, LLC
s/James D. George, Jr.

James D. George, Jr. (S.C. Bar No.: 103634)
2801 Devine Street, Suite 300
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&

Wright Injury Law, LLC

P. Brooke Eaves Wright (S.C. Bar No.: 102021)
4214 Mayfair St., Unit A
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(843) 380-8004

Brooke@thewrightinjurylawyer.com

Attorneys for Appellant

March 27, 2026

Other Counsel of Record:

Dominic A. Starr
J. Harrison Berry
2411 North Oak Street, Suite 401
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(843) 848-6000
dominic.starr@mgclaw.com
harrison.berry@mgclaw.com

Attorneys for Respondents:
Wesley Allen a/k/a J. Wesley Allen;
Patricia A. Blanton;
J. Wesley Allen Revocable Living Trust;
J. Wesley Allen in his capacity as Trustee
of the J. Wesley Allen Revocable Living Trust; &
Patricia A. Blanton in her capacity as Trustee
of the J. Wesley Allen Revocable Trust.

David C. Haar
1800 North Oak Street
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Attorney for Defendants:
James D. Lewis &
Shirley A. Lewis.

Daniel J. Macdonald, Sr.
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(843) 449-4493
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Attorney for Defendant:
Patricia A. Blanton &
Patricia A. Blanton in her capacity as Trustee
of the J. Wesley Allen Revocable Trust.

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Jacob D. Born
Peter P. Leventis, IV
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March 27, 2026

Via Hand Delivery

The Honorable Jenny Abbott Kitchings
Clerk, South Carolina Court of Appeals
1220 Senate St.
Columbia, South Carolina 29211

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MAR 27 2026

SC Court of Appeals

Re: **Komonick Sinclair vs. Allen's Food Basket Inc.; Gabriel's Breakfast and Grill at Allen's Food Basket, LLC d/b/a Gabriel's Grill; Allen's Food Basket a/k/a Allen's Food Basket Grill; Wesley Allen a/k/a J. Wesley Allen; Patricia A. Blanton; J. Wesley Allen Revocable Living Trust; J. Wesley Allen in his capacity as Trustee of the J. Wesley Allen Revocable Living Trust; Patricia A. Blanton in her capacity as Trustee of the J. Wesley Allen Revocable Trust; Gabe Jackson a/k/a Gabriel Jackson; James D. Lewis; & Shirley A. Lewis.**
C/A No.: 2023-CP-26-03658
Notice of Appeal

Dear Ms. Kitchings:

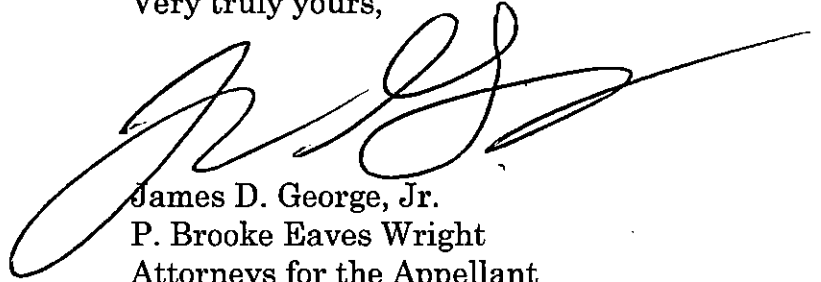
Enclosed Please find the following documents for filing regarding the above referenced matter:

1. Notice of Appeal;
2. Certificate of Service;
3. Filing Fee;
4. October 21, 2025, Memorandum Opinion and Order granting Respondents' Motion for Summary Judgment;
5. March 2, 2026, Form 4, denying Plaintiff's Motion for Reconsideration;
6. Letter regarding the status of transcript orders; and,

7. Transcript request email.

Thank you for your assistance in this matter.

Very truly yours,

A large, stylized handwritten signature in black ink, appearing to read 'J.D. George, Jr.', is written over the typed name and title.

James D. George, Jr.
P. Brooke Eaves Wright
Attorneys for the Appellant

cc: James Harrison Berry
Dominic Allen Starr
David C. Haar
Daniel J. McDonald, Sr.
Gabe Jackson a/k/a Gabriel Jackson
Allen's Food Basket, Inc.
Gabriel's Breakfast and Grill at Allen's Food Basket, LLC d/b/a Gabriel's Grill
Allen's Food Basket a/k/a Allen's Food Basket Grill

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of which,

Defendants,

Wesley Allen a/k/a J. Wesley Allen; Patricia A. Blanton; J. Wesley Allen Revocable Living Trust; J. Wesley Allen in his capacity as Trustee of the J. Wesley Allen Revocable Living Trust; & Patricia A. Blanton in her capacity as Trustee of the J. Wesley Allen Revocable Trust, are

Respondents,

Certificate of Service

The undersigned hereby certifies that on March 27, 2026, he served counsel for Respondents the Appellant's Notice of Appeal by mailing and emailing a copy of

the same to the below mailing and email addresses as maintained in the attorney information system:

Dominic A. Starr
J. Harrison Berry
2411 North Oak Street, Suite 401
Myrtle Beach, South Carolina 29577
dominic.starr@mgclaw.com
harrison.berry@mgclaw.com

Daniel J. Macdonald, Sr.
1107 – 48th Avenue North, Suite 210
Myrtle Beach, South Carolina 29577
dmacdonald@machickslaw.com

Additionally, the undersigned hereby certifies that on March 27, 2026, he served counsel for the remaining represented defendants by mailing and emailing a copy of the same to the below mailing and email addresses as maintained in the attorney information system:

David C. Haar
1800 North Oak Street
Myrtle Beach, South Carolina 29577
(843) 448-4246
david@longbaylawyers.com

Finally, the undersigned hereby certifies that on March 27, 2026, he served the defaulting pro se defendants by mailing a copy of the same to their respective last known addresses:

Allen's Food Basket, Inc.
1012A Hwy 501
Myrtle Beach, South Carolina 29577

Gabriel's Breakfast and Grill at Allen's Food Basket LLC d/b/a Gabriel's Grill
1012A Hwy 501
Myrtle Beach, South Carolina 29577

Allen's Food Basket a/k/a Allen's Food Basket Grill
1012A Hwy 501
Myrtle Beach, South Carolina 29577

Gabe Jackson a/k/a Gabriel Jackson
1302 Dennison Ave.
Myrtle Beach, SC 29577

Smith Born Leventis Taylor & Vega, LLC

s/James D. George, Jr.

James D. George, Jr. (S.C. Bar No.: 103634)


2801 Devine Street, Suite 300

Columbia, South Carolina 29206

(803) 929-3600

jgeorge@sbltv.law

March 27, 2026

From: James D. George Jr. JGeorge@sbltv.law 
Subject: Fwd: Notice of Appeal Sinclair vs. Allen's Food Basket, Inc. et. al.
Date: March 27, 2026 at 11:51 AM
To: dominic.starr@mgclaw.com



Jamie George
Attorney
Smith, Born, Leventis, Taylor & Vega
(803) 509-5837
jgeorge@sbltv.law

Begin forwarded message:

From: Jamie George <jgeorge@sbltv.law>
Subject: Notice of Appeal Sinclair vs. Allen's Food Basket, Inc. et. al.
Date: March 27, 2026 at 11:38:28 AM EDT
To: dominic.starr@mgclaw.com, harrison.berry@mgclaw.com, david@longbaylawyers.com, dmacdonald@machickslaw.com
Cc: Brooke Wright <Brooke@thewrightinjurylawyer.com>, "Latonya M. Smalls" <lsmalls@sbltv.law>, Tammy <Tammy@thewrightinjurylawyer.com>

Good morning:

Attached please find Komonick Sinclair's Notice of Appeal in the above referenced matter. The attached documents—Notice of Appeal, Certificate of Service, this email, copies of the appealed orders, filing fee, and communications related to the ordering of the transcript of the relevant hearings—will be filed with the Court of Appeals later today via hand delivery. Physical copies of the same have been mailed to each of you and the pro se defendants. A copy of the notice of Appeal will likewise be filed with the circuit court momentarily.

Best,

JDG

**Notice of Appeal COS Orders
Transcript Ordering for Electron...**
8.6 MB



Jamie George
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