

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM GREENVILLE COUNTY
Court of Common Pleas

Jane H. Merrill, Circuit Court Judge

Case No. 2024-CP-23-06973

David M. Duree and David M. Duree
& Assocs., P.C.,

Appellants,

v.

Glory Mace,

Respondent.

NOTICE OF APPEAL

David M. Duree and David M. Duree & Assocs., P.C. appeal the order of the Honorable Jane H. Merrill dated May 5, 2026 (copy attached). Appellants received written notice of entry of this order on May 5, 2026.

May 19, 2026


Sarah Day Hurley (SC Bar No. 16241)
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Attorney for Appellants

Pro Se Respondent:

Ms. Glory Mace
112 Peachtree Drive
Greer, SC 29651

FORM 4

STATE OF SOUTH CAROLINA
COUNTY OF Greenville
IN THE COURT OF COMMON PLEAS

JUDGMENT IN A CIVIL CASE

CASE NO. 2024CP2306973

David M Duree et al
PLAINTIFF(S)

Glory Mace
DEFENDANT(S)

DISPOSITION TYPE (CHECK ONE)

- JURY VERDICT.** This action came before the court for a trial by jury. The issues have been tried and a verdict rendered.
- DECISION BY THE COURT.** This action came to trial or hearing before the court. The issues have been tried or heard and a decision rendered.
- ACTION DISMISSED (CHECK REASON):** Rule 12(b), SCRPC; Rule 41(a), SCRPC (Vol. Nonsuit); Rule 43(k), SCRPC (Settled); Other Failure to Properly Serve Plaintiff
- ACTION STRICKEN (CHECK REASON):** Rule 40(j), SCRPC; Bankruptcy; Binding arbitration, subject to right to restore to confirm, vacate or modify arbitration award; Other
- STAYED DUE TO BANKRUPTCY**
- DISPOSITION OF APPEAL TO THE CIRCUIT COURT (CHECK APPLICABLE BOX):**
 Affirmed; Reversed; Remanded;
 Other

NOTE: ATTORNEYS ARE RESPONSIBLE FOR NOTIFYING LOWER COURT, TRIBUNAL, OR ADMINISTRATIVE AGENCY OF THE CIRCUIT COURT RULING IN THIS APPEAL.

IT IS ORDERED AND ADJUDGED: See attached order (formal order to follow) Statement of Judgment by the Court:

After careful consideration of the arguments, documents in the court's file, and the applicable law the court VACATES the Foreign Judgment and the associated Lis Pendens (2026LP2300056) action and DENIES Plaintiff's motion for sanctions.

ORDER INFORMATION

This order ends does not end the case.

See Page 2 for additional information.

For Clerk of Court Office Use Only

This judgment was electronically entered by the Clerk of Court as reflected on the Electronic Time Stamp, and a copy mailed first class to any party not proceeding in the Electronic Filing System on 05/04/2026 .

Glory Mace for Glory Mace
Glory Mace for Glory Mace

NAMES OF TRADITIONAL FILERS SERVED BY MAIL

Court Reporter:

E-Filing Note: The date of Entry of Judgment is the same date as reflected on the Electronic File Stamp and the clerk's entering of the date of judgment above is not required in those counties. The clerk will mail a copy of the judgment to parties who are not E-Filers or who are appearing pro se. See Rule 77(d), SCRCP.

"Service of all other process shall be made by the sheriff or his deputy or any other duly constituted law enforcement officer or by any person designated by the court who is not less than eighteen (18) years of age and not an attorney in or a party to the action, except that a subpoena may be served as provided in Rule 45." Rule 4, SCRCP.

After the April 20, 2026, the court provided an opportunity for Plaintiff to supplement the record with an Affidavit of Service. Plaintiff did not file an Affidavit of Service to show the Defendant was properly served with the Filing of the Foreign Judgment and associated pleadings. Instead, Plaintiff filed an affidavit (signed by Plaintiff) that he "served" Defendant via US Mail and email to several addresses. Plaintiff is a party to the action and cannot serve the initial pleadings as made clear in Rule 4, SCRCP.

Defendant was not properly served the foreign judgment and it is VOID and VACATED. Additionally, the associated Lis Pendens, 2026LP2300056, is VOID and VACATED as there was no proper judgment to which the Lis Pendens could attach.

The court grants the relief requested by Defendant. Therefore, Defendant's motion was not frivolous, and the court DENIES Plaintiff's motion for sanctions.

The foreign judgment shall be REMOVED from the clerk's judgment roll and the Lis Pendens, 2026LP2300056, shall be DISMISSED.



Greenville Common Pleas

Case Caption: David M Duree , plaintiff, et al vs. Glory Mace
Case Number: 2024CP2306973
Type: Order/Electronic Form 4

It is so ordered.

s/ Jane H. Merrill

Electronically signed on 2026-05-04 18:44:18 page 3 of 3

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CERTIFICATE OF SERVICE

I hereby certify that on **May 19, 2026**, I served a true and correct copy of the within and foregoing *Notice of Appeal* upon pro se Respondent Glory Mace by depositing same in the United States mail with sufficient postage thereon to assure delivery as follows:

Ms. Glory Mace
112 Peachtree Drive
Greer, SC 29651
Pro Se Respondent


Sarah Day Hurley
Attorney for Appellants