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May 27 2026

SC Court of Appeals

THE STATE OF SOUTH CAROLINA

In the Court of Appeals

APPEAL FROM BEAUFORT COUNTY

Carmen T. Mullen, Circuit Court Judge

Appellate Case No. 2026-001061

Civil Action No. 2025-CP-07-00873

In the Matter of: George Francia Niesar (Decedent).

Gerald Viglione Niesar, Individually ad as Personal Representative of the

Estate of George Francis Niesar, Appellant,

v.

Christine Nemeth, Respondent.

SUPPLEMENTAL RETURN TO NOTICE OF APPEAL

WITH MEMORANDUM OF LAW INCLUDED

The denial of a motion for summary judgment is not directly appealable, even after final judgment. *Fisher v. Stevens*, 355 S.C. 290, 298, 584 S.E.2d 149, 154 (Ct. App. 2003). Appellant is appealing an Order entered March 10, 2026, granting Respondent’s January 6, 2026 Motion to Reconsider Final order Granting Plaintiff’s Motion for Summary Judgment, in which Judge Mullen reversed her December 31, 2025 Final Order Granting Plaintiff’s Motion for Summary Judgment on all of his causes of action. In other words, Appellant is attempting to appeal the denial of his Motion for Summary Judgment.

s/ Russ Keep

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COUNSEL FOR THE RESPONDENT

Beaufort County, SC

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PROOF OF SERVICE

I, Russ Keep, attorney for the Respondent, Christine Nemeth, certify that I have served the Respondent’s Supplemental Return to Notice of Appeal with Memorandum of Law Included on all counsel of record in this action, as set forth below under Supreme Court Order dated April 24, 2024.

PLEADING(S): Respondent’s Supplemental Return to Notice of Appeal with Memorandum of Law Included

Counsel Served: **Via Electronic Mail**
Robert H. Brunson, Esq. (robert.brunson@nelsonmullins.com)
John P. Bozeman, Esq. (john.bozeman@nelsonmullins.com)

s/Russ Keep

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