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Jul 30 2026
SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM YORK COUNTY
Court of Common Pleas

R. Keith Kelly, Circuit Court Judge

Case No. 2025-CP-46-00319

Fifth Third Bank National Association, Respondent,

v.

Mark MacNeil, Appellant.

AMENDED NOTICE OF APPEAL

Mark McNeil appeals the amended judgment of the Honorable R. Keith Kelly dated July 24, 2026, and which amended the judgment of the Honorable R. Keith Kelly dated June 24, 2026. Appellant received written notice of entry of the amended judgment on July 24, 2026 and the original judgment on June 24, 2026.

This the 29th day of July, 2026.

GARDNER SKELTON PLLC

/s/ Bruce J. Kennedy II
Bruce J. Kennedy II (S.C. State Bar No. 104527)
3746 N. Davidson Street
Charlotte, North Carolina 28203
Telephone: (704) 335-0350
bkennedy@gardnerskelton.com
Attorneys for Appellant

Other Counsel of Record:
BURR & FORMAN LLP
Samantha J. Dorward
G. Wade Leach, III
1221 Main Street, Suite 1800 (29201)
Post Office Box 11390 (29211)
Columbia, South Carolina
wleach@burr.com
sdorward@burr.com
Attorneys for Respondent
(803) 799-9800

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing was served upon all parties of record by electronic mail (email) and US Mail to the following:

RECEIVED
Jul 30 2026
SC Court of Appeals

Samantha J. Dorward
G. Wade Leach, III
BURR & FORMAN LLP
1221 Main Street, Suite 1800 (29201)
Post Office Box 11390 (29211)
Columbia, South Carolina
wleach@burr.com
sdorward@burr.com
Attorneys for Respondent

This the 29th day of July, 2026.

/s/ Bruce J. Kennedy II
Bruce J. Kennedy II

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v.

Mark MacNeil, Appellant.

AFFIDAVIT OF SERVICE

PERSONALLY appeared before me, Bruce J. Kennedy II, who first being duly sworn, deposes and says as follows:

1. I am a citizen and resident of the State of North Carolina. I am over the age of eighteen (18) years. I am under no legal disability, and I make this Affidavit upon personal knowledge.

2. I am an attorney licensed to practice in the State of South Carolina, and I represent the Appellant Mark MacNeil in this case.

3. On July 20, 2026, I served Respondent Fifth Third Bank National Association's counsel with the Notice of Appeal via Certified Mail, addressed as follows:

VIA USPS CERTIFIED MAIL Tracking Number: 9589071052701794481041

Samantha J. Dorward
G. Wade Leach, III
BURR & FORMAN, LLP
1221 Main Street, Suite 1800
Columbia, South Carolina 29201

and

VIA USPS CERTIFIED MAIL Tracking Number: 9589071052701794481058

Samantha J. Dorward
G. Wade Leach, III
BURR & FORMAN, LLP
Post Office Box 11390
Columbia, South Carolina 29211

4. The Notice of Appeal was delivered to the 1221 Main Street address on July 24, 2026, as evidenced by the return receipt, attached hereto as Exhibit A. The Notice of Appeal was delivered to the Post Office Box address on July 23, 2026, as evidenced by the return receipt, attached hereto as Exhibit B.

5. Additionally, on July 21, 2026, I served Respondent Fifth Third Bank National Association's counsel with the Notice of Appeal via e-mail, as evidenced by the correspondence attached hereto as Exhibit C.

6. On July 29, 2026, I served Respondent Fifth Third Bank National Association's counsel with an Amended Notice of Appeal via Certified Mail, addressed as follows:

VIA USPS CERTIFIED MAIL Tracking Number: 9589071052703556673701

Samantha J. Dorward
G. Wade Leach, III
BURR & FORMAN, LLP
1221 Main Street, Suite 1800
Columbia, South Carolina 29201

VIA USPS CERTIFIED MAIL Tracking Number: 9589071052703556673527

Samantha J. Dorward
G. Wade Leach, III
BURR & FORMAN, LLP
Post Office Box 11390
Columbia, South Carolina 29211

7. Additionally, on July 29, 2026, I served Respondent Fifth Third Bank National Association's counsel with the Amended Notice of Appeal via e-mail, as evidenced by the correspondence attached hereto as Exhibit D.

Further affiant sayeth not.

Bruce J. Kennedy II

SWORN and SUBSCRIBED before me

this the 30th day of July, 2026.

Notary Public

Cendy Schutt

Printed Name of Notary Public

My Commission Expires: 05/19/2031

Cendy Schutt
NOTARY PUBLIC
Mecklenburg County, NC

EXHIBIT A

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Burr & Forman LLP
1221 Main Street
Suite # 1800
Columbia, SC 29201

9590 9402 7884 2234 8709 00

2. Article Number *(Transfer from service label)*

9589 0710 5270 1794 4810 41

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X *L Ellington* ☐ Agent ☐ Addressee

B. Received by *(Printed Name)* Debra Ellington

C. Date of Delivery 7/24/24

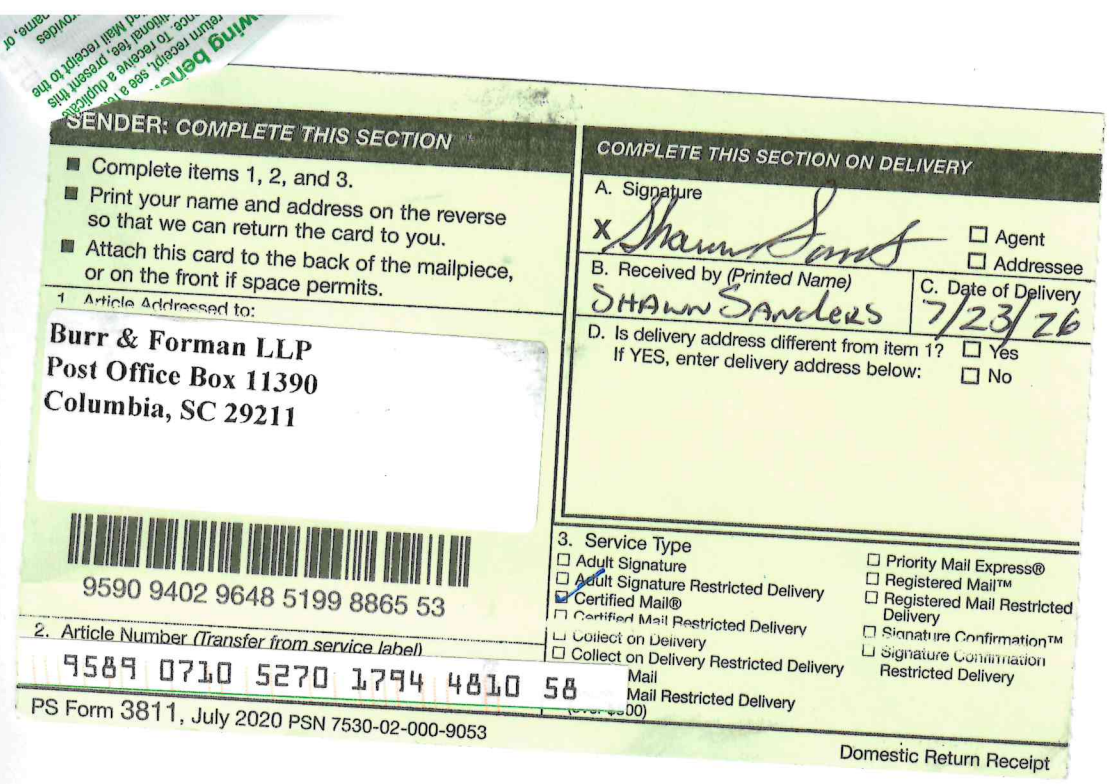
D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type

- ☐ Adult Signature
- ☐ Adult Signature Restricted Delivery
- ☑ Certified Mail®
- ☐ Certified Mail Restricted Delivery
- ☐ Collect on Delivery
- ☐ Collect on Delivery Restricted Delivery
- ☐ Mail
- ☐ Mail Restricted Delivery
- 00)
- ☐ Priority Mail Express®
- ☐ Registered Mail™
- ☐ Registered Mail Restricted Delivery
- ☐ Signature Confirmation™
- ☐ Signature Confirmation Restricted Delivery

PS Form 3811, July 2020 PSN 7530-02-000-9053 Domestic Return Receipt

EXHIBIT B



SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Burr & Forman LLP
Post Office Box 11390
Columbia, SC 29211

9590 9402 9648 5199 8865 53

2. Article Number (Transfer from service label)

9589 0710 5270 1794 4810 58

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X Shawn Sanders ☐ Agent ☐ Addressee

B. Received by (Printed Name) SHAWN SANDERS

C. Date of Delivery 7/23/26

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type

- ☐ Adult Signature
- ☐ Adult Signature Restricted Delivery
- ☑ Certified Mail®
- ☐ Certified Mail Restricted Delivery
- ☐ Collect on Delivery
- ☐ Collect on Delivery Restricted Delivery
- ☐ Mail
- ☐ Mail Restricted Delivery
- ☐ Priority Mail Express®
- ☐ Registered Mail™
- ☐ Registered Mail Restricted Delivery
- ☐ Signature Confirmation™
- ☐ Signature Confirmation Restricted Delivery

PS Form 3811, July 2020 PSN 7530-02-000-9053

Domestic Return Receipt

EXHIBIT C

From:	Cendy Schutt
To:	"sdorward@burr.com"; "wleach@burr.com"
Cc:	Bruce Kennedy
Subject:	SERVICE OF DOCUMENT(S): Fifth Third Bank National Association v. Mark MacNeil, Case No. 2025-CP-46-00319
Date:	Tuesday, July 21, 2026 10:31:01 AM
Attachments:	image001.png 2026.07.20 Service of Notice of Appeal.pdf

Good morning Ms. Dorward and Mr. Leach,

Attached please find a copy of the Notice of Appeal sent via certified mail yesterday.

Thank you.

Cendy Schutt
Paralegal
3746 N. Davidson Street| Charlotte, NC 28205
www.gardnerskelton.com

Direct: 704.390.7069 | **Main:** 704.335.0350 | **Fax:** 704.936.0294

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EXHIBIT D

From:	Cendy Schutt
To:	"sdorward@burr.com"; "wleach@burr.com"
Cc:	Bruce Kennedy
Subject:	SERVICE OF DOCUMENT(S): Fifth Third Bank National Association v. Mark MacNeil, Case No. 2025-CP-46-00319
Date:	Wednesday, July 29, 2026 4:22:28 PM
Attachments:	image001.png 2026.07.29 - MacNeil - Amended Notice of Appeal.pdf

Good afternoon Ms. Dorward and Mr. Leach,

Attached please find a copy of the Amended Notice of Appeal, which was also sent via certified mail today.

Thank you.

Cendy Schutt
Paralegal
3746 N. Davidson Street| Charlotte, NC 28205
www.gardnerskelton.com

Direct: 704.390.7069 | **Main:** 704.335.0350 | **Fax:** 704.936.0294

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