

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM CHARLESTON COUNTY
Court of Common Pleas

J.C. Nicholson, Circuit Court Judge
James C. Williams, Circuit Court Judge

Case No. 2013-CP-10-1066
Formerly, Case No.: 2010-CP-10-3240

70915

John T. Lucas, Sr. as Trustee of the John T. Lucas Revocable
Trust and Carolyn C. Lucas Revocable Trust.....Appellant,

v.

The Bristol Condominium
Property Owners Association.....Respondent.

NOTICE OF APPEAL

John T. Lucas, Sr. as Trustee of the John T. Lucas Revocable Trust and Carolyn C. Lucas Revocable Trust appeals the Honorable J.C. Nicholson's Order granting Partial Summary Judgment from the bench on August 16, 2012, the Honorable James C. Williams' Order of August 19, 2013 and the Honorable James C. Williams' Order Denying Plaintiffs' Motion for a New Trial filed on December 2, 2013.

Appellant originally filed Civil Action 2010-CP-10-3240 asserting causes of action for conversion, breach of fiduciary duty, forcible entry and detainer, constructive fraud, fraud and misrepresentation, negligence, trespass, nuisance, unjust enrichment, declaratory judgment and injunctive relief.

On August 16, 2012, the Honorable J.C. Nicholson heard respondent's motion for summary judgment. Judge Nicholson granted partial summary judgment dismissing the

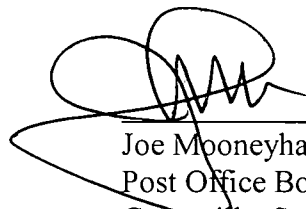
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appellant's cause of action for conversion, trespass and improper entry or detainer. On November 8, 2012, the appellant's surviving causes of action were stricken, pursuant to Rule 40(j), *SCRCP* and restored on February 25, 2013, under case number 2013-CP-10-1066. The Honorable James C. Williams Jr. sitting as Special Referee found in favor of the respondent on all accounts by Order of August 19, 2013. A copy of the Order issued by the Honorable James C. Williams, Jr. is attached as Exhibit A to this Notice.

Judge Williams denied the appellant's motion for new trial on December 2, 2013. Appellant received a copy of this Order on December 9, 2013. A copy of the Order issued by the Judge Williams is attached as Exhibit B to this Notice. The appellant appeals the Courts' Orders as set forth above.



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December 27, 2013

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December 27, 2013

The Honorable Jenny Abbott Kitchings
South Carolina Court of Appeals
Post Office Box 11629
Columbia, South Carolina 29211

RE: John T. Lucas, Sr., etc., et al v. The Bristol Condominium Property Owners
Association

Case No. 2013-CP-10-1066, formerly Case No. 2010-CP-10-3240

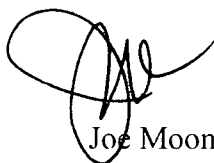
Dear Madame Clerk:

Enclosed for filing, please find John Lucas' Notice of Appeal in this matter, along with copies of Judge James C. Williams' Orders.

I also enclose our filing fee. Please return a clocked copy of our Notice in the provided stamped envelope, or contact me if you have questions or concerns. Thank you in advance for your kind assistance.

Under separate cover, we have served our Notice of Appeal on David B. Wheeler, Joseph T. Belton, K. Michael Barfield and M. Dawes Cook, who represent the respondent. Additionally, under separate cover, we have served our Notice of Appeal on the Honorable Julie Armstrong, Charleston County Clerk of Court.

Sincerely,



Joe Mooneyham

JAM/CRH
Enclosures

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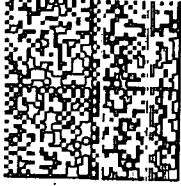
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TO:

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