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The State of South Carolina
In the Court of Appeals

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OCT 26 2026

SC Court of Appeals

Appeal from Horry County
Court of Common Pleas

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,

Defendants,

of which, James D. Lewis & Shirely A. Lewis,

Respondents.

Notice of Appeal

Komonick Sinclair (hereinafter, "Appellant") appeals the order of the Honorable Robert W. Buffington, Special Referee, dated June 27, 2025. That order was filed June 30, 2025. Appellant received written notice of entry of this order on June 27, 2025. On July 7, 2025, Appellant filed a timely motion to reconsider pursuant to Rule 59(e), SCRCF. The Honorable Robert W. Buffington, Special

Referee, denied that motion to reconsider by written Order dated September 29, 2026. That order was filed September 30, 2026. Appellant received written notice his Rule 59(e), SCRPC, motion was denied on September 29, 2026.

Appellant, therefore, appeals the following orders from the Honorable Robert W. Buffington, Special Referee:

1. The June 27, 2025, Order (filed June 30, 2025) granting relief from default judgment as to Defendants James D. Lewis and Shirley A. Lewis; and,
2. The September 29, 2026, Order (filed September 30, 2026) denying Appellant's Rule 59(e), SCRPC, 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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&

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Attorneys for Appellant

October 26, 2026

Other Counsel of Record:

David C. Haar
1800 North Oak Street
Myrtle Beach, South Carolina 29577
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david@longbaylawyers.com

Attorney for Defendants:

**James D. Lewis &
Shirley A. Lewis.**

Dominic A. Starr
J. Harrison Berry
2411 North Oak Street, Suite 401
Myrtle Beach, South Carolina 29577
(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.**

Daniel J. Macdonald, Sr.
1107 – 48th Avenue North, Suite 210
Myrtle Beach, South Carolina 29577
(843) 449-4493
dmacdonald@machickslaw.com

Attorney for Defendant:

**Patricia A. Blanton &
Patricia A. Blanton in her capacity as Trustee
of the J. Wesley Allen Revocable Trust.**

The State of South Carolina
In the Court of Appeals

Appeal from Horry County
Court of Common Pleas

Benjamin H. Culbertson, Circuit Court Judge

Case No. 2023-CP-26-03658

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Komonick Sinclair,

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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,

Defendants,

of which, James D. Lewis & Shirely A. Lewis,

Respondents.

Certificate of Service

The undersigned hereby certifies that on October 26, 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:

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

Additionally, the undersigned hereby certifies that on October 26, 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:

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

Finally, the undersigned hereby certifies that on October 26, 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

October 26, 2026

From: Jamie George <jgeorge@sbltv.law>
Subject: Fwd: Notice of Appeal; Sinclair v. Allen Food Basket Inc., et. al., Defendants, of which, James and Shirley Lewis are Respondents 23-CP-26-03658
Date: October 26, 2026 at 3:45 PM
To: dmacdonald@djmlawfirm.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 v. Allen Food Basket Inc., et. al., Defendants, of which, James and Shirley Lewis are Respondents 23-CP-26-03658
Date: October 26, 2026 at 3:41:18 PM EDT
To: david@longbaylawyers.com
Cc: Dominic Starr <dominic.starr@mgclaw.com>, Harrison Berry <harrison.berry@mgclaw.com>, dmacdonald@machickslaw.com, Brooke Wright <Brooke@thewrightinjurylawyer.com>, Haley@thewrightinjurylawyer.com, "Latonya M. Smalls" <lsmalls@sbltv.law>, Tammy <Tammy@thewrightinjurylawyer.com>

Good afternoon:

Attached please find Appellant Komonick Sinclair's Notice of Appeal appealing the June 27, 2025, Order (filed June 30, 2025) granting relief from default judgement as to Defendants James Lewis and Shirley A. Lewis, and appealing the September 29, 2026, Order (filed September 30, 2025) denying Appellant's Rule 59(e), SCRPC, motion.

Also contained within the attached is a cover letter, certificate of service, check image, and copies of the Orders appealed from.

These items, along with a copy of this email, will be filed with the Court of Appeals momentarily.

Physical copies of the attached were also mailed earlier today.

Best,

JDG

**Sinclair vs. Lewis Full NOA packet
for service.pdf**



Jamie George
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William L. Smith, II
C. Daniel Vega
Jacob D. Born
Peter P. Leventis, IV
George A. Taylor
James C. Sproat
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SC Court of Appeals

Via Hand Delivery

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

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:

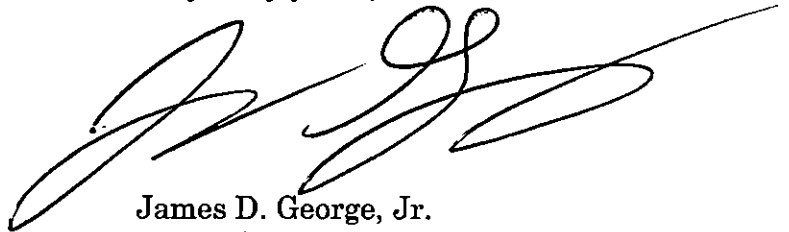
1. Notice of Appeal;
2. Certificate of Service;
3. Filing Fee;
4. June 29, 2025, Order (filed June 30, 2025) granting relief from default judgment as to Defendants James D. Lewis and Shirely A. Lewis; and,
5. September 29, 2026, Order (filed September 30, 2026) denying Appellant's Rule 59(e), SCRCP, motion.

Please note a separate appeal is pending arising from this same underlying action. That appeal, under appellate case number 2026-000769, is pending against Defendants/ 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. The appeal under appellate case number 2026-000769 involves the appeal of a grant of summary judgment in favor of those of Defendants/ Respondents.

The present appeal, for which the enclosed notice of appeal is applicable, involves Defendants James D. Lewis and Shirley A. Lewis, who are the only respondents. Neither is a respondent to appellate case number 2026-000769. None of the respondents to appellate case number 2026-000769 is a respondent to this appeal.

Thank you for your assistance in this matter.

Very truly yours,

A handwritten signature in black ink, appearing to read 'J. George, Jr.', with a long horizontal flourish extending to the right.

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