

THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

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APPEAL FROM NEWBERRY COUNTY  
Court of Common Pleas

RECEIVED

JAN 09 2014

Joseph W. Hudgens, Special Referee

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SC Court of Appeals

Appellate Case No. 2013-002181

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EverBank,.....Respondent,

vs.

Lenora Scurry, Patrick Scurry and The South Carolina Department of  
Revenue,.....Defendants,

Of whom

Lenora Scurry and Patrick Scurry, are,.....Appellants.

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**RESPONDENT'S MOTION TO SUBSTITUTE COUNSEL**

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Pursuant to Rule 264 of the South Carolina Appellate Court Rules, Appellant EverBank ("Appellant") hereby moves this court for an order substituting counsel for Appellant. Appellant moves to substitute Charles S. Gwynne Jr., of the law firm of Rogers Townsend & Thomas, PC as counsel for the Appellant and allow William P. Stork and the law firm of Weston Adams Law Firm to withdraw as counsel of record in this appeal.

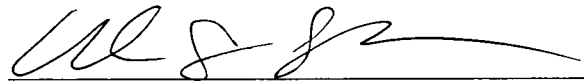
As indicated below, William P. Stork and the law firm of Weston Adams Law Firm consent to this request.

Accordingly, Appellant, by and through its undersigned counsel, requests that this

Court order that Charles S. Gwynne Jr. and the law firm of Rogers Townsend & Thomas, PC be substituted as counsel of record for it in this appeal. Further, Appellant requests that William P. Stork and the law firm of Weston Adams Law Firm be relieved of any further representation and be removed from the court dockets in this matter.

Respectfully submitted,

*January 7, 2014*  
December 7, 2013




Charles S. Gwynne Jr. (SC Bar # 73844)  
ROGERS TOWNSEND & THOMAS, PC  
220 Executive Center Drive (29210)  
Post Office Box 100200  
Columbia, South Carolina 29202-3200  
(803)771-7900

Attorney for the Respondent

Rogers Townsend & Thomas, PC and its staff are debt collectors

We so consent:

WESTON ADAMS LAW FIRM

By: 

William P. Stork  
1501 Richland Street  
Columbia, SC 29201  
(803) 799-3141

*Withdrawing Attorneys for Respondent*

December 19, 2013

Other Counsel of Record and Parties:

Andrew S. Radeker, Esquire  
Harrison & Radeker, P.A.  
Post Office Box 50143  
Columbia, SC 29250

Milton Gary Kimpson, Esquire  
Office of General Counsel for Litigation  
South Carolina Department of Revenue  
PO Box 12265  
Columbia, SC 29211

THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

APPEAL FROM NEWBERRY COUNTY  
Court of Common Pleas

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Appellate Case No. 2013-002181

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vs.

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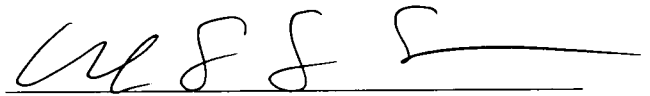
Of whom

Lenora Scurry and Patrick Scurry, are,.....Appellants.

**PROOF OF SERVICE**

I HEREBY CERTIFY that I have served the **RESPONDENT'S MOTION TO  
SUBSTITUTE COUNSEL** on counsel for Appellants Lenora Scurry and Patrick Scurry  
and other Defendants by depositing copies of it in the United States Mail, postage  
prepaid, on January 7, 2014, at the addresses shown on the attachment listing Other  
Counsel of Record and Parties.

January 7, 2014



Charles S. Gwynne Jr. (SC Bar # 73844)  
ROGERS TOWNSEND & THOMAS, PC  
220 Executive Center Drive – Suite 109  
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Post Office Box 100200  
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Attorney for the Respondent  
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Other Counsel of Record and Parties:

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JAN 09 2014

SC Court of Appeals  
71060

January 7, 2014

The Honorable Jenny Abbott Kitchings  
The South Carolina Court of Appeals Clerk of Court  
1015 Sumter Street  
Columbia, South Carolina 29201

Re: Everbank v. Lenora Scurry, Patrick Scurry and The South Carolina Department  
of Revenue  
C/A No.: 2012-CP-36-103  
Appeal No. 2013-002181  
Our file: 020576.2

Dear Ms. Kitchings:

Enclosed are the original and seven (7) copies of the Respondent's Motion to Substitute Counsel, along with a Proof of Service. Please return a filed copy of the document to me in the enclosed self-addressed, postage pre-paid envelope provided for your convenience. Also included is my firm's check for \$25 representing the filing fee.

By copy of this letter, I am serving a copy of the Respondent's Motion to Substitute Counsel and Proof of Service on all parties to this appeal.

Thank you for your assistance in this matter.

With kind personal regards, I am

Sincerely yours,

A handwritten signature in black ink, appearing to be "C. Gwynne Jr.", written over a horizontal line.

Charles S. Gwynne Jr.

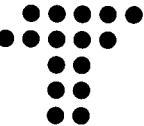
/dm  
Enclosures as stated

cc:

Andrew S. Radeker  
Harrison & Radeker, P.A.  
Post Office Box 50143  
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Office of General Counsel for Litigation  
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ZIP 29210  
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The Honorable Jenny Abbott Kitchings  
The South Carolina Court of Appeals Clerk of Court  
1015 Sumter Street  
Columbia, SC 29201