

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

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APPEAL FROM BEAUFORT COUNTY  
Court of Common Pleas

Carmen T. Mullen

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Case No.: 2011-CP-07-2700

TAD SEGARS, Appellant,

v.

ADVANCED ROOFING, INC., TEOFILO  
LEZCANO, INDIVIDUALLY AND D/B/A  
ADVANCED ROOFING, INC., A/K/A  
YUKO CONSTRUCTION COMPANY, INC.,  
CMC CONSTRUCTION, INC.,

Respondents

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DESIGNATION OF MATTER TO BE INCLUDED  
IN RECORD ON APPEAL

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Appellant proposes that the following be included in the Record on Appeal.

- (1) Complaint
- (2) Answer
- (3) Town of Hilton Head Building Department Records
- (4) Consent Order to 40(J)
- (5) Charles Blackburn letter dated September 28, 2010
- (6) Ocean Estates Builders Supplemental Discovery Responses
- (7) Consent Order to Restore Case to the Roster
- (8) Subcontractor Roster
- (9) Second Amended Complaint

- (10) Third Party Complaint
- (11) Consent Order to Amend Third Party Complaint
- (12) Amended Third Party Complaint
- (13) Consent Order to Amend Complaint file stamped February 12, 2013
- (14) Third Amended Complaint (erroneously captioned Second Amended Complaint)
- (15) Affidavit of Service on CMC dated July 24, 2012
- (16) CMC's Motion for Summary Judgment
- (17) CMC's Motion for Summary Judgment as to Ocean Estate's Cross Claims
- (18) Hearing Transcript dated September 4, 2013
- (19) Judge Mullen's Order dated September 11, 2013

  
Thomas J. Finn  
P.O. Box 6003  
Hilton Head Island, South Carolina  
(843) 682-3555  
Attorney for Appellant

February 5, 2014

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Court of Common Pleas

Carmen T. Mullen

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Case No.: 2011-CP-07-2700

TAD SEGARS, Appellant,

v.

OCEAN ESTATES BUILDERS, INC.,  
ED FLYNN, INDIVIDUALLY, DAVID  
GARCIA D/B/A/ YINET PLASTERING, INC.,  
ADVANCED ROOFING, INC., TEOFILO  
LEZCANO, INDIVIDUALLY AND D/B/A/  
ADVANCED ROOFING, INC., A/K/A YUKO  
CONSTRUCTION COMPANY, INC., CMC  
CONSTRUCTION COMPANY, INC., AND  
JAGUAR MASONRY,

Of which

ADVANCED ROOFING, INC., TEOFILO  
LEZCANO, INDIVIDUALLY AND D/B/A  
ADVANCED ROOFING, INC., A/K/A  
YUKO CONSTRUCTION COMPANY, INC.,  
CMC CONSTRUCTION, INC.,

Respondents

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PROOF OF SERVICE

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SC Court of Appeals

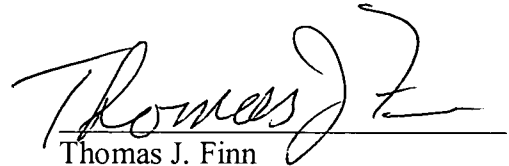
RBC

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Count of A

I CERTIFY THAT I HAVE SERVED THE Appellant's Initial Brief and Designation of Matter on Advanced Roofing, Inc., Teofilo Lezcano, Individually and d/b/a Advanced Roofing, Inc., a/k/a Yuko Construction Company, Inc., and CMC Construction by depositing a copy of it in the United States Mail, postage prepaid, on February 5, 2014 addresses to their attorney of record, Jason Scott Luck and J. Patrick Norris at their offices at the addresses listed below.

February 5, 2014



Thomas J. Finn  
P.O. Box 6003  
Hilton Head Island, South Carolina  
(843) 682-3555  
Attorney for Appellant

Jason Scott Luck  
Seibels Law Firm, P.A.  
127 King Street, Suite 100  
Charleston, SC 29401

J. Patrick Norris  
Carlock Copeland & Stair, LLP  
40 Calhoun Street, Suite 400  
Charleston, SC 29401-3531

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# FINN LAW FIRM, PC

MAILING ADDRESS

P.O. Box 6003

Hilton Head Island, South Carolina 29938

OFFICE ADDRESS

38 New Orleans Road Suite D4

Hilton Head Island, South Carolina 29928

Thomas J. Finn, Esquire  
Also Licensed in GA & CT

Telephone: (843) 682-3555  
Facsimile: (843) 682-3558  
Email: finlaw@hargray.com

February 5, 2014

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

**RE: TAD SEGARS vs. CMC CONSTRUCTION COMPANY, INC., and  
ADVANCED ROOFING, INC., a/k/a YUKO CONSTRUCTION  
APPELLATE CASE NO.: 2013-002384**

Dear Mrs. Kitchings:

Enclosed please find Appellant's Initial Brief and Designation of Matter with an attached Proof of Service.

Please note, Appellant voluntarily dismisses his appeal against Advanced Roofing, Inc., Teofilo Lezcano, Individually and d/b/a Advanced Roofing, Inc., a/k/a Yuko Construction Company, Inc. Appellant appeals only the portion of Judge Mullen's Order which grants SJ to CMC Construction, Inc.

If you have any questions or comments, please do not hesitate to contact the office.

Sincerely,

  
Thomas J. Finn

TJF: caw  
Enclosures

cc: Patrick Norris, Esq.  
Jason Scott Luck, Esq.

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**SC Court of Appeals**

**FINN LAW FIRM, PC**

P.O. Box 6003

Hilton Head Island, South Carolina 29938

The honorable Jenny Abbott Kitchings  
Clerk , SC Ct of Appeals  
Post Office Box 11629  
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