

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM YORK COUNTY
Court of Common Pleas
Hon. John C. Hayes, III
Presiding Circuit Court Judge

71304

Appeal No. 2013-000327
Consolidated Case No. 2010-CP-46-2326

Juontonio Pinckney, et al.Appellants,

v.

Epcon Communities, Inc., Epcon Communities Franchising, Inc.,
Brock L. Fankhauser, Fankhauser Property Group, Inc.,
Stonecrest Villas of Tega Cay, LLC,
and

Stonecrest Villas of Tega Cay Owners' Association, Inc.,.....Respondent

MOTION BY APPELLANTS PINCKNEY, ET AL.
TO DESIGNATE RECORD ON APPEAL FILED BY
PINCKNEY, ET AL. AS THE SUPPLEMENTAL RECORD
VOLUMES 2 – VOLUME 5
AND MOTION TO FILE AMENDED FINAL BRIEF

Appellants Pinckney, et al. move the court to designate the record on appeal filed by appellants Pinckney, et al. as the Supplemental Record on Appeal, Volumes 2-5, filed for consolidation purposes. This motion to designate the record as supplemental is filed with consent of counsel for all parties after email consultation.

Appellants further move the court for permission to file an Amended Final Brief referencing the Supplemental Record. A copy of the proposed supplemental record on appeal and proposed final brief are attached to this motion pursuant to the court's Order dated February 3, 2014.

Respectfully submitted,

HALFORD NIEMIEC & FREEMAN, L.L.P.

J. Cameron Halford, Esq.
238 Rockmont Drive,
Fort Mill, South Carolina 29708

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FEB 18 2014

February 18, 2014

SC Court of Appeals

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Stonecrest Villas of Tega Cay, LLC,
and

Stonecrest Villas of Tega Cay Owners' Association, Inc. Respondent

PROOF OF SERVICE

I hereby certify that I am the attorney for the Appellants in the above captioned appeal and that on February 18, 2014 I served a copy of the foregoing Motion to Designate Pinckney record as the Supplemental Record on Appeal and Motion to file Amended Final Brief on counsel listed below by the means indicated.

(Via E-mail)

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SC Court of Appeals

(Via Hand Delivery)

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February 18, 2014
Fort Mill, South Carolina

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Matthew R. Niemiec
P. John Freeman

February 18, 2014

VIA HAND DELIVERY

South Carolina Court of Appeals
Jenny Abbot Kitchings
Post Office Box 11629
Columbia, South Carolina 29211

Re: Appeal No. 2013-000-327
Juontonio Pinckney, et al. v. Epcon Communities, Inc., et al.
York County Consolidated Case No. 2010-CP-46-2326

Dear Mrs. Kitchings:

Pursuant to the court's Order dated February 3, 2014 please find enclosed for filing an original and one (1) copy of the Appellants' motion to amend the Record On Appeal submitted by appellants Pinckney, et al. and the proposed final brief of appellants Pinckney, et al. Please clock the original motion and return a clocked copy. I also attach the Appendix to the proposed supplemental record with proof of service per SCACR 212(b).

I am providing a proposed copy of volumes two (2) through five (5) of the proposed proposed supplemental record which assumes page numbering at 338 following the initial record submitted by appellants Fankhauser, et al. [Treating their record on appeal as volume (1)].

I am also attaching Appellants' proposed final brief along with our certification and certificate of mailing. Please contact me should there be any questions or concerns. Thank you.

With regards, I remain

Respectfully,


J. Cameron Halford

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Matthew R. Niemiec
P. John Freeman

South Carolina Court of Appeals
February 18, 2014
Page (2)
JCH:trl
enclosures/attachments

cc: Curtis W. Dowling (**Hand Delivery**)
cc: Graham P. Powell (dropbox/email)
cc: Brett E. Dressler (dropbox/email)
cc: Michael B.T. Wilkes (dropbox/email)
cc: J. Derham Cole (dropbox/email)
cc: Matthew Gregory Gerald (**Hand Delivery**)
cc: Brad Cranshaw (dropbox /email)