

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

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APPEAL FROM LEXINGTON COUNTY  
William P. Keesley, Circuit Court Judge  
James W. Johnson, Jr., Circuit Court Judge

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Case No. 2005-CP-32-2712

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**RECEIVED**

JUL 15 2014

**SC Court of Appeals**

7 28 73

McGuinn Construction Management, Inc., ..... Appellant,

v.

Saul Espino and Mara Espino, ..... Respondents.

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Case No. 2008-CP-32-419

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Saul Espino and Mara Espino, ..... Respondents,

v.

Gates Commons, LLC, S. Wade McGuinn, Individually,  
and Town of Lexington, ..... Defendants,

Of whom, Town of Lexington, is ..... Appellant.

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**NOTICE OF APPEAL**

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The Appellant Town of Lexington appeals the following Orders:

1. Order on Reconsideration of the Order of the Honorable James W. Johnson, Jr., as the Successor Judge under Rule 63 issued by Circuit Court Judge William P. Keesley, filed June 9, 2014
2. Order issued by the late Circuit Court Judge James W. Johnson, Jr., filed June 16, 2008

The Appellant Town of Lexington's counsel received written notice of entry of the Order on Reconsideration of the Order of the Honorable James W. Johnson, Jr., as the Successor Judge under Rule 63 on June 27, 2014.

DAVIDSON & LINDEMANN, P.A.

BY:

  
\_\_\_\_\_  
ANDREW F. LINDEMANN  
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(803) 806-8222

*Counsel for Appellant Town of Lexington*

July 15, 2014

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*Counsel for McGuinn Construction Management, Inc.,  
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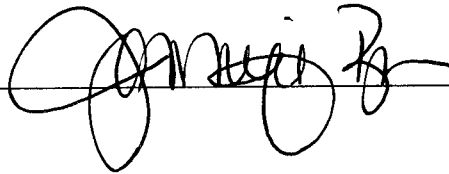
**CERTIFICATE OF SERVICE**

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The undersigned employee of Davidson & Lindemann, P.A., counsel for the Appellant Town of Lexington, does hereby certify that service of the **Notice of Appeal** in the above-captioned matter was made upon all counsel of record by placing copies in the United States Mail, first class postage prepaid, at the below listed addresses clearly indicated on said envelopes this the 15th day of July 2014:

Andrew A. Aun, Esquire  
Aun & McKay, P.A.  
Post Office Box 3568  
Irmo, South Carolina 29063

S. Jahue Moore, Esquire  
Moore Taylor Law Firm, P.A.  
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West Columbia, South Carolina 2917



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**SC Court of Appeals**

DAVIDSON & LINDEMANN, P.A.

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†Certified Mediator

July 15, 2014

Of Counsel  
Kenneth P. Woodington

Writer's Email: [alindemann@dml-law.com](mailto:alindemann@dml-law.com)

**Hand Delivered**

The Honorable Jenny Abbott Kitchings  
Clerk of Court  
South Carolina Court of Appeals  
Edgar Brown Building  
1205 Pendleton Street  
Columbia, South Carolina 29201

RE: McGuinn Construction Management, Inc. v. Saul Espino and Mara Espino  
Civil Action Number: 2005-CP-32-2712

RE: Saul Espino and Mara Espino v. Gates Commons, LLC, S. Wade McGuinn, Individually,  
and Town of Lexington  
Civil Action Number: 2008-CP-32-4192  
Claim Number: 690001CO3151  
Our File Number: 321.7443

Dear Ms. Kitchings:

Please find enclosed for filing the original and one copy of the **Notice of Appeal** in the above referenced matter. Please file the original and return a clocked-in copy to me by way of my courier. I have also enclosed my firm's \$100.00 check for the filing fee.

By copy of this letter, I am serving copies on all counsel of record.

Thank you for your assistance in this matter.

Sincerely,

DAVIDSON & LINDEMANN, P.A.



Andrew F. Lindemann

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JUL 15 2014

**SC Court of Appeals**

AFL/jmb  
Enclosures

The Honorable Jenny Abbott Kitchings  
July 15, 2014  
Page Three

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cc: (w/ Enclosure)

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