

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM ORANGEBURG COUNTY
Court of Common Pleas

James B. Jackson, Jr., Master in Equity

Case No. 2007-CP-38-0196
and
Case No. 2007-CP-38-0201

First Citizens Bank and Trust Company, Inc., as
successor in interest to Community Resource Bank,
N.A., f/k/a Orangeburg National Bank,..... Appellant,

v.

Clyde B. Livingston, American First Federal, Inc.,
Citibank South Dakota, N.A., Branch Bank and Trust
Company of South Carolina, G&G Rentals, Miler Defendants,
Communications, Wells Fargo Bank, N.A.,.....

Of whom Clyde B. Livingston is the Respondent

And

First Citizens Bank and Trust Company, Inc., as
successor in interest to Community Resource Bank,
N.A., f/k/a Orangeburg National Bank,..... Appellant,

v.

Clyde B. Livingston, Technico Marketing &
Distribution, Inc., B. Livingston and Charlotte V.
Livingston, American First Federal, Inc., Citibank South Defendants,
Dakota, N.A., Branch Bank and Trust Company of South
Carolina, G&G Rentals, Miler Communications, Wells
Fargo Bank, N.A.,.....

Of whom Clyde B. Livingston is the Respondent

CORRECTED NOTICE OF APPEAL

RECEIVED

AUG 04 2014

SC Court of Appeals

First Citizens Bank and Trust Company, Inc. ("First Citizens") hereby timely appeals from the following two orders of the Honorable James B. Jackson, Jr. in the above matter: The Order (1) Granting in Part and Denying in Part Plaintiff's Motion for Summary Judgment and Plaintiff's Motion to Strike Jury Demand dated April 10, 2014 and filed April 17, 2014 and the Order (2) Denying Motion for Reconsideration dated July 2, 2014 and filed July 9, 2014. Copies of the Orders are attached hereto. Appellant received written notice of entry of the order filed on July 9, 2014, on July 11, 2014.

NELSON MULLINS RILEY & SCARBOROUGH LLP

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Attorneys for Appellant First Citizens Bank and Trust Company, Inc., as successor in interest to Community Resource Bank, N.A., f/k/a Orangeburg National Bank

Columbia, South Carolina

8/4, 2014

Other Counsel of Record:

Andrew S. Radeker, Esquire
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PO Box 50143
Columbia, SC 29250

Attorney for Clyde B. Livingston, Respondent

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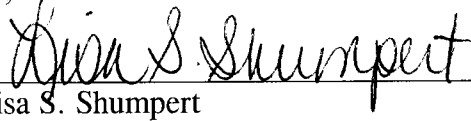
PROOF OF SERVICE

I, the undersigned Administrative Assistant of the law offices of Nelson Mullins Riley & Scarborough LLP, attorneys for Appellant, do hereby certify that I have served all counsel in this action with a copy of the document(s) hereinbelow specified by mailing a copy of the same by United States Mail, postage prepaid, to the following address(es):

Document(s): Corrected Notice of Appeal

Counsel Served:

Andrew S. Radeker, Esquire
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PO Box 50143
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Lisa S. Shumpert

August 4, 2014

Nelson Mullins

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August 4, 2014

Hand Delivered

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

RE: First Citizens Bank and Trust Company, Inc. v. Clyde B. Livingston, et al.
Civil Action No. 2007-CP-38-00196 and 2007-CP-38-0201
Our File No. 00689/01777

Dear Ms. Kitchings:

Pursuant to your letter of July 31, 2014 regarding a deficiency in our filing, I am attaching an Corrected Notice of Appeal and a Certificate of Service for the Corrected Notice showing the correct caption and identifying Clyde B. Livingston as the Respondent. If this is not sufficient, please let me know.

Thank you for your assistance.

Very truly yours,



Erik T. Norton

ETN:tm6
Enclosures
cc: Andrew S. Radeker, Esquire

RECEIVED

AUG 04 2014

SC Court of Appeals