

STATE OF SOUTH CAROLINA  
IN THE  
COURT OF APPEALS

Appeal from the Court of Common Pleas  
For Charleston County  
Honorable J. C. Nicholson, Jr., Circuit Judge  
Civil Action No.: 2010-CP-10-9096

FILED  
2014 JUN -6 PM 1:50  
JULIE J. ARMSTRONG  
CLERK OF COURT  
BY \_\_\_\_\_

Frank Gordon, Jr., Individually and as Trustee  
of the Dorothy S. Gordon (Deceased) Trust,

Respondent,

v.

Donald W. Lancaster,

Appellant.

NOTICE OF APPEAL

Stephen P. Groves, Sr., Esquire  
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Attorneys for the Appellant

TO: THE HONORABLE JUDGES OF THE SOUTH CAROLINA COURT OF APPEALS:

COMES NOW the Appellant, Donald W. Lancaster ("Mr. Lancaster"), pursuant to Rule 203 of the South Carolina Appellate Court Rules, and respectfully serves notice that he is appealing the following orders and judgments:

- a. Order and Judgment of the Honorable J.C. Nicholson, Jr., Circuit Judge, dated 16 August 2013, and filed with the Clerk of Court for the Charleston County Court of Common Pleas on 19 August 2013, and received by Mr. Lancaster's counsel on 29 August 2013;
- b. SCRCP Form 4C Judgment In A Civil Case issued by the Honorable J.C. Nicholson, Jr., Circuit Judge, dated 16 August 2013, and filed with the Clerk of Court for the Charleston County Court of Common Pleas on 19 August 2013, and received by Mr. Lancaster's counsel on 29 August 2013;
- c. SCRCP Form 4C Judgment In A Civil Case denying post-trial motions issued by the Honorable J.C. Nicholson, Jr., Circuit Judge, dated 6 May 2014, and filed with the Clerk of Court for the Charleston County Court of Common Pleas on 9 May 2014, and received by Mr. Lancaster's counsel on 14 May 2014; and
- d. SCRCP Form 4C Judgment In A Civil Case denying post-trial motions issued by the Honorable J.C. Nicholson, Jr., Circuit Judge, dated 19 May 2014, and filed with the Clerk of Court for the Charleston County Court of Common Pleas on 21 May 2014, and received by Mr. Lancaster's counsel on 23 May 2014.

Copies of the referenced Circuit Court *Order & Judgment*, the SCRCP Form 4 Judgment In A Civil Case, and the SCRCP Form 4C Judgment In A Civil Case form orders are collectively attached hereto as Exhibit "A" and incorporated herein by reference.

Respectfully submitted:

NEXSEN PRUET, LLC

By: *Cheryl D. Shaver for*

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*Attorneys for the Appellant*

Charleston, South Carolina

6 June 2014

### OTHER COUNSEL OF RECORD

Justin O'Toole Lucey, Esquire  
Stephanie L. Drawdy, Esquire  
JUSTIN O'TOOLE LUCEY, P.A.  
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*Attorneys for the Respondent*

STATE OF SOUTH CAROLINA  
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Appellant.

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PROOF OF SERVICE  
For The  
NOTICE OF APPEAL

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*Attorneys for the Appellant*

I, Stephen P. Groves, Sr., Esquire, hereby certify that on 6 June 2014, I served a copy of the Notice of Appeal submitted by the Appellant, Donald W. Lancaster, on counsel for the Respondent via the United States Mail, postage pre-paid, and addressed as follows:

Justin O'Toole Lucey, Esquire  
Stephanie L. Drawdy, Esquire  
JUSTIN O'TOOLE LUCEY, P.A.  
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*Attorneys for the Respondent*

Signed: *Stephen P. Groves, Sr.*  
Stephen P. Groves, Sr.

Charleston, South Carolina

6 June 2014

NPCHAR1:1313625.1-APL-(SPG) 053211-00001

## NEXSEN|PRUET

Stephen P. Groves, Sr.  
Member  
Admitted in SC

6 June 2014

**HAND DELIVERED**

The Honorable Julie Armstrong  
Clerk of Court  
Charleston County Court of Common Pleas  
100 Broad Street  
Charleston, South Carolina 29201

Re: **Frank Gordon, Jr., Individually and as Trustee of the  
Dorothy S. Gordon (Deceased) Trust v Donald W. Lancaster**  
Appeal from the Charleston County  
Court of Common Pleas  
Case Action No.: 2010-CP-10-9096  
NP File No.: 053211-00001

**Charleston**

Charlotte

Columbia

Greensboro

Greenville

Hilton Head

Myrtle Beach

Raleigh

Dear Julie:

Enclosed please find two copies of a **Notice of Appeal** in the above-referenced appellate matter. I also enclose two copies of a **Proof of Service** indicating service of a copy of the **Notice of Appeal** upon Justin O'Toole Lucey, Esquire and Stephanie L. Drawdy, Esquire, counsel for the Respondent, Frank Gordon, Jr., Individually and as Trustee of the Dorothy S. Gordon (Deceased) Trust. This **Notice of Appeal** is contemporaneously being sent to the South Carolina Court of Appeals.

I would appreciate your filing the **Notice of Appeal**, as well as the **Proof of Service**, with the Charleston County Court of Common Pleas and returning one stamped copy of each to my attention by way of the courier who has brought this to your office.

If you need anything else or I otherwise may be of any assistance to you regarding this matter, please feel free to contact me at your convenience. My direct telephone number is 843.720.1725, direct telecopier is 843.414.8206, and the e-mail is [sgroves@nexsenpruet.com](mailto:sgroves@nexsenpruet.com).

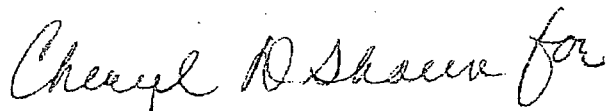
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Nexsen Pruet, LLC  
**Attorneys and Counselors at Law**

Honorable Julie Armstrong  
Clerk of Court  
6 June 2014  
Page 2 of 2

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Very truly yours,



Stephen P. Groves, Sr.  
SPGSr./spg  
Enclosures

cc: Hon. Jenney Abbot Kitchings – Clerk of Court SCCOA  
Justin O'Toole Lucey, Esquire  
John J. Dodds, III, Esquire  
Mr. Donald Lancaster