

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

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APPEAL FROM CHARLESTON COUNTY
Court of Common Pleas

SEP 24 2014

SC Court of Appeals

James C. Williams, Circuit Court Judge sitting as Special Referee

Case No. 2011-CP-10-2232

The Bristol Condominium
Property Owners Association,.....Respondent,

v.

John T. Lucas, Sr. as Trustee of the John T. Lucas Revocable
Trust Dated November 10, 2004, and Carolyn C. Lucas
Revocable Trust Dated November 10, 2004,.....Defendants/Counterclaim Plaintiffs,

Of Whom John T. Lucas, Sr. is the Appellant,

v.

The Bristol Condominium
Property Owners Association,.....Counterclaim Defendant.

AMENDED NOTICE OF APPEAL

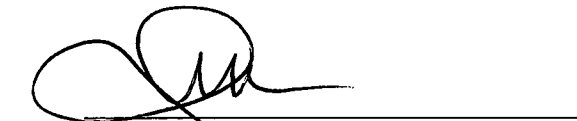
John T. Lucas, Sr. as Trustee of the John T. Lucas Revocable Trust and Carolyn C. Lucas Revocable Trust appeals that portion of the Court’s Order signed August 11, 2014, denying Lucas’s Motion for reconsideration and a new trial. Lucas filed that motion in response to the entry of judgment, on September 6, 2013, denying his counterclaim for wrongful foreclosure against The Bristol Condominium Property Owners Association.

The Bristol originally filed Civil Action 2011-CP-10-2232 on March 25, 2011 as a foreclosure complaint against Lucas, who owned a condominium in the Bristol complex in Charleston. Lucas answered and counterclaimed, alleging a number of causes of action, but in essence alleged that the foreclosure was wrongful and retaliatory.

On May 22-24, 2013, the Hon. James C. Williams Jr., sitting as Special Referee, heard this matter nonjury. In his order, entered September 6, 2013, he found for the Bristol and denied Lucas any relief on his counterclaim. A copy of that order is attached as Exhibit A to this Notice.

Lucas filed his motion to reconsider, and for a new trial, on September 6, 2013. Judge Williams granted Lucas some relief on the issue of attorneys' fees, but denied his motion for a new trial by order dated August 11, 2014. That order, which is the subject of this appeal, and is attached as Exhibit B to this Notice.

Lucas received a copy of that order on August 15, 2014 and therefore timely appeals the trial court's orders as set forth above.



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September 22, 2014

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v.


The Bristol Condominium
Property Owners
Association,.....Counterclaim Defendant.

PROOF OF SERVICE

I certify that I have served the Amended Notice of Appeal on The Bristol Condominium Property Owners Association by United States Postal Service, postage prepaid, on September 22, 2014, addressed to its attorneys of record, David B. Wheeler and Joseph T. Belton, Post Office Box 22828, Charleston, South Carolina 29413 and K. Michael Barfield and M. Dawes Cook, Post Office Drawer H, Charleston, South Carolina 29402.

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EIN: 46-2893359

September 22, 2014

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

RE: The Bristol Condominium Property Owners Association v. John T. Lucas, Sr.,
etc., et al v. The Bristol Condominium Property Owners Association
Case No. 2011-CP-10- 2232

Dear Madame Clerk:

Enclosed for filing, please find John Lucas' Amended Notice of Appeal in this matter.

Please return a clocked copy of our Notice in the provided stamped envelope, or contact me if you have questions or concerns. Thank you in advance for your kind assistance.

Under separate cover, we have served our Amended Notice of Appeal on David B. Wheeler, Joseph T. Belton, K. Michael Barfield and M. Dawes Cook, who represent the respondent. Additionally, under separate cover, we have served our Amended Notice of Appeal on the Honorable Julie Armstrong, Charleston County Clerk of Court.

Sincerely,



Cody H. Rankin

/CRH

Enclosures

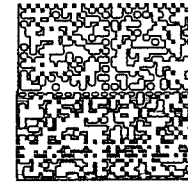
cc: M. Dawes Cook, Esquire
K. Michael Barfield, Esquire
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TO:

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

