

NOTICE OF APPEAL IN A CIVIL CASE

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

73822

APPEAL FROM BEAUFORT COUNTY
Master In Equity

Marvin H. Dukes, III, Beaufort County Master-in-Equity

Case No. 2011-CP-07-5211

Solomon Johnson, Frank
Johnson, Ruth Green, Dorothy
Jones, Theresa Scott, Erma
Johnson, Kelly Barbara Jean
Ferguson a/k/a Barbara Jean
Albergottie, Alphonzo
Albergottie, David Pringle,
Pauline Lesesne, Marion
Pringle, Jr., Frederick Scott,
Paul K. Scott, Harold Jones,
Sandra, Williamson Powell,
Frederick L. Williamson,
Elvin Bennett, Janie L.
Ganues, Bertha Stafford,
Patrice Stafford, Mary Lee
Gary, Alnethia Gary, Edward
Stanley Stafford, Luerta Gary,
Kenneth Gary, Carlos Gary,
Ron Kenneth Stewart, Mary
Frances Duncan, Debra
Williams, Larry Williams,
Barbara Williams Smith,
Johnie Williams, Terri Elaine
Weaver, Letha G. Rhem,
Patricia Ann White, Sharon
White, Nolen White, Johnny
Washington,

Respondents,

RECEIVED

OCT 13 2014

SC Court of Appeals

V.

The Heirs or Devisees of
Solomon White, Mary Ann
Pinckney White, Edward

Appellants.

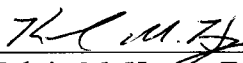
White, Jacob White, Mary
White, Carrie White, Ellen
White Gary, Sam Gary, Emma
Gary Johnson, Miller Johnson,
Sr., Oscar Johnson, Eloise
Johnson, Miller Johnson, Jr.,
Leola Johnson, Richard
(Ritchie) Johnson, Sarah H.
Johnson, Mack Coles, Emily
Johnson Albergottie, Robert
albergottie, Louise Johnson
Pringle, Marion Pringle,
Mamie Gary, Thomas Brown,
Carrie Scott, Clarence Scott,
Jessie Mae Scott Smalls,
Williams Smalls, Jr.,
Nathaniel Scott, Camerine
Scott, Hermon V. Scott,
Luther Scott, Earnestine
Steward, Epstein Steward,
Lonny Brown, Gussy Brown,
Charles Brown, Danza Gary,
Victoria Brown, Dorothy
Williams, Joseph Williamson,
Sr., Elijah Williamson, Joseph
Williamson, Jr., Helen
(Sweetie) Brown Bennett,
Ervin Bennett, Janie Bennett
Green, Eloise Bennett Nixs,
Benjamin Nixs, Terry Nixs,
Carrie Gary, Harry Julius,
Richard Gary, Fronnie Gary,
Ella Gary, Francis Gary,
Florence (Nan) Gary, Aletha
(Tiny) Gary Watson, Andrew
Gadsden, Frank Watson,
Elizabeth Gary Stafford, Lee
Stafford, John Lee Stafford,
Joseph Gary, Nehemiah Gary,
Dorothy Gary, Harold Gary,
Cleveland Gary, Henry Gary,
Florrie Gary, Naomi Gary
Stafford, James Stafford, Sr.,
Hattie Mae Stafford, Edna
Brooker, Henry Brooker, Inell

Jones, Raymond Jones, James
Stafford, Jr., Hazel Gary,
Henry Gary, Jr., Henry Gary,
III, Herman Gary, Mary Ellen
Gary Williams, Herbert
Williams, Sr., Herbert
Williams, Jr., Louise Gary
White, Jimmy White, Lou
Ethel Washington, Margaret
Gary Levine, David Levin,
Eddie James Gary,
Wilhelmina Gary Murray,
Ezekiel Murray, Sr., Josephine
Gary Jenkins, Eddie Jenkins,
Joe Louis Gary, Heirs of
David Pringle, Salt Marsh
Partners, L.P., Janice E. Jones
and Ralph E. Johnson, Bobbie
J. Collins, Leroy Norris and
Odis Ann Norris, M. Lane
Morrison, Milles Lane
Morrison

NOTICE OF APPEAL

Clara Gary, Adelia Gary, David Gary, Annette Singleton, Albert Gary, Ulysses Gary, Bernard Gary, Francis Gary, Jr. and Charles Gary appeal the Final Order of the Honorable Marvin H. Dukes, III dated August 18, 2014. Appellants received written notice of entry of this order on September 12, 2014.

October 9, 2014


Kelvin M. Huger, Esq.
George E. Counts, Esq.
Counts & Huger, LLC
27 Gamecock Avenue, Suite 200
Charleston, South Carolina 29407
(834) 573-0143
Attorney Appellants

Other Counsel of Record:
J. Thomas Mikell, Esquire
Mikell, Weidner, Wegmann & Harper, LLC
Post Office Box 1727
Beaufort, South Carolina 29901-1727

Harold A. Boney, Jr., Esquire
Harold A. Boney Law Offices
Post Office Box 1151
Beaufort, South Carolina 29901-1151

R. Bruce Marshall, Jr., Esquire
Post Office Box 2403
Beaufort, South Carolina 29901-2403

PROOF OF SERVICE OF NOTICE OF APPEAL IN A CIVIL CASE

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM BEAUFORT COUNTY
MASTER IN EQUITY

MARVIN H. DUKES, III, Beaufort County Master-in-Equity

Case No. 2011-CP-07-5211

Solomon Johnson, Frank Johnson,
Ruth Green, Dorothy Jones, Theresa
Scott, Erma Johnson, Kelly Barbara
Jean Ferguson a/k/a Barbara Jean
Albergottie, Alphonzo Albergottie,
David Pringle, Pauline Lesesne,
Marion Pringle, Jr., Frederick Scott,
Paul K. Scott, Harold Jones, Sandra,
Williamson Powell, Frederick L.
Williamson, Elvin Bennett, Janie L.
Ganues, Bertha Stafford, Patrice
Stafford, Mary Lee Gary, Alnethia
Gary, Edward Stanley Stafford,
Luerta Gary, Kenneth Gary, Carlos
Gary, Ron Kenneth Stewart, Mary
Frances Duncan, Debra Williams,
Larry Williams, Barbara Williams
Smith, Johnie Williams, Terri Elaine
Weaver, Letha G. Rhem, Patricia
Ann White, Sharon White, Nolen
White, Johnny Washington,

Respondents,

V.

The Heirs or devisees of Solomon
White, Mary Ann Pinckney White,
Edward White, Jacob White, Mary
White, Carrie White, Ellen White
Gary, Sam Gary, Emma Gary
Johnson, Miller Johnson, Sr., Oscar
Johnson, Eloise Johnson, Miller
Johnson, Jr., Leola Johnson, Richard
(Ritchie) Johnson, Sarah H. Johnson,

Appellants.

Mack Coles, Emily Johnson
Albergottie, Robert albergottie,
Louise Johnson Pringle, Marion
Pringle, Mamie Gary, Thomas
Brown, Carrie Scott, Clarence Scott,
Jessie Mae Scott Smalls, Williams
Smalls, Jr., Nathaniel Scott,
Camerine Scott, Hermon V. Scott,
Luther Scott, Earnestine Steward,
Epstein Steward, Lonny Brown,
Gussy Brown, Charles Brown, Danza
Gary, Victoria Brown, Dorothy
Williams, Joseph Williamson, Sr.,
Elijah Williamson, Joseph
Williamson, Jr., Helen (Sweetie)
Brown Bennett, Ervin Bennett, Janie
Bennett Green, Eloise Bennett Nixs,
Benjamin Nixs, Terry Nixs, Carrie
Gary, Harry Julius, Richard Gary,
Fronnie Gary, Ella Gary, Francis
Gary, Florence (Nan) Gary, Aletha
(Tiny) Gary Watson, Andrew
Gadsden, Frank Watson, Elizabeth
Gary Stafford, Lee Stafford, John
Lee Stafford, Joseph Gary,
Nehemiah Gary, Dorothy Gary,
Harold Gary, Cleveland Gary, Henry
Gary, Florrie Gary, Naomi Gary
Stafford, James Stafford, Sr., Hattie
Mae Stafford, Edna Brooker, Henry
Brooker, Inell Jones, Raymond
Jones, James Stafford, Jr., Hazel
Gary, Henry Gary, Jr., Henry Gary,
III, Herman Gary, Mary Ellen Gary
Williams, Herbert Williams, Sr.,
Herbert Williams, Jr., Louise Gary
White, Jimmy White, Lou Ethel
Washington, Margaret Gary Levine,
David Levin, Eddie James Gary,
Wilhelmina Gary Murray, Ezekiel
Murray, Sr., Josephine Gary Jenkins,
Eddie Jenkins, Joe Louis Gary, Heirs
of David Pringle, Salt Marsh
Partners, L.P., Janice E. Jones and
Ralph E. Johnson, Bobbie J. Collins,

Leroy Norris and Odis Ann Norris,
M. Lane Morrison, Milles Lane
Morrison and Bank of America,
N.A., as Trustees, Beaufort County
Open Land Trust, William McClean
Mixon and Barbara Hill Mixon, as
Trustees of the Mixon Revocable
Trust Agreement dated July 24,
2008, Robert J. Pinckney, Mamie
Brown, Susie Cordeaux, Dorothy
Lesesne, Ben Pinckney, Christopher
Pinckney, Etta Pinckney, Henry
Pinckney, Herbert Pinckney,
Ernestine P. Rogers, Lillie Shell, and
Ruth P. Simmons, Richard Johnson,
Jr., Helen Coles, Forestine Pringle,
Sandra Smalls, Jackie Smalls,
Sharon Smalls, Andrea Smalls,
Brooke Smalls, Allan Scott, Cleon
Scott, Nia Malika Singletery, Loretta
L. Steward, Nathan Jones, Eric
Williamson, Dwayne Williamson,
Audrey Brown, Joseph Johnson,
Jacqueline Johnson Major, Robert
Lee Green, Kenneth Green, Juanita
Green, Keith Green, Joseph Green,
Ellis Green, Carl Green, Brown
Bennett, Dorsey Bennett, William
Nixs, Jennifer Nixs, Jason Nixs,
Thaddaus Nixs, Edward Nixs,
Charles Nixs, Althea Nixs, Clara
Gary, Francis Gary, Jr., Adelia Gary,
Charles Gary, Albert Gary, Ulysses
Gary, Bernard Gary, David Gary,
Annette Singleton, Lillie Mae
Gifford, Shawndea Stafford, James
Stafford, Beulah Gadsden, Jordan
Harris, Leon Stafford, Alvin
Brooker, Michael Stafford, Shirley
Stafford White, Gail Stafford
Marquez, Jacqueline Stafford,
Stephanie Jones, Renata Jones,
Ranell Jones, Germaine Jones,
Nathaniel Stafford, Angela Stafford,
Sonya Green, James Stafford, III,

Rasheen James, Jusean James, Kierra Stafford, Lena (Evelyn) Gary, Brenda Patterson, Jeanette Rutledge, Issac Williams, Carolyn Achampony, Antoinette Lewis, Geraldine Brown, Johnny Washington, Kurt Washington, Diane Gary, Tracy Washington, Carren Washington, Lunetha Gary, James Stanley Gary, Gerald R. Gary, if living, and if not living, then the heirs or devisees of all such persons named above; and all persons unknown having or claiming to have any right, title, estate, interest in or lien upon the real property described in the Complaint herein, being designated collectively as John Doe and Mary Roe, including all persons who may be deceased, minors, in Armed Forces of the United States, Non Compos Mentis, and under any other disability.

RECEIVED

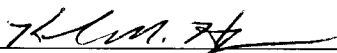
OCT 13 2014

SC Court of Appeals

PROOF OF SERVICE

I certify that I served the Notice of Appeal on J. Thomas Mikell, Esquire of Mikell, Weidner, Wegmann & Harper, LLC by depositing a copy of it in the United States Mail, postage prepaid, on October 9, 2014, addressed to Post Office Box 1727, Beaufort, South Carolina 29901-1727, Harold A. Boney, Jr., Esquire of Harold A. Boney Law Offices, Post Office Box 1151, Beaufort, South Carolina, 29901-1151, and R. Bruce Marshall, Jr., Esquire by depositing a copy of it in the United States Mail, postage prepaid, on October 9, 2014, addressed to Post Office Box 2403, Beaufort, South Carolina 29901-2403.

October 9, 2014



Kelvin M. Huger, Esq.
Counts & Huger, LLC
27 Gamecock Ave., Suite 200
Charleston, South Carolina 29407
(834) 573-0143
Attorney for Appellants

COUNTS & HUGER, LLC
ATTORNEYS AT LAW

Attorneys

George E. Counts (SC, GA)
Kelvin M. Huger (SC, NY)
Mavis G. Huger (SC, NY)

COUNTS & HUGER, LLC
27 Gamecock Avenue, Suite 200
Post Office Box 80399 (29416)
Charleston, SC 29407
Tel: (843) 573-0143
Fax: (843) 573-0153

October 9, 2014

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

Re: Solomon Johnson, et. al., Respondent, vs. The Heirs or Devises of Solomon White, et.
al., Appellants.
Case No. 2011-CP-07-5211

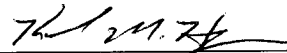
Dear Clerk Kitchings:

I have enclosed for filing a Notice of Appeal in the above case. Also enclosed are the following:

- (1) A copy of the Proof of Service of the Notice of Appeal on the Counsel of Record;
- (2) A copy of the Final Order which is to be challenged on Appeal; and
- (3) A check for the filing fee of \$100.00.

Should Your Honor have any questions please do not hesitate to contact me.

With kind regards,



Kelvin M. Huger, Esq.
George E. Counts, Esq.
Counts & Huger, LLC
27 Gamecock Avenue, Suite 200
Charleston, South Carolina 29407
(843) 573-0143

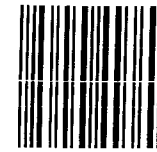
RECEIVED Attorney for Appellants

OCT 13 2014

SC Court of Appeals



1000



29211

U.S. POSTAGE
PAID
CHARLESTON, SC
29407
OCT 09 2014
AMOUNT

\$1.82
00068034-17

Kelvin M. Huger, Esq.
Counts & Huger, LLC
27 Gamecock Ave., Suite 200
Charleston, SC 29407

RECEIVED

OCT 13 2014

SC Court of Appeals

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

