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IN THE STATE OF SOUTH CAROLINA

In the Court of Appeals

APPEAL FROM SPARTANBURG COUNTY
Court of Common Pleas

R. Keith Kelly, Circuit Court Judge

Case No. 2013-CP-42-3055

RECEIVED
MAR 26 2015
SC Court of Appeals

United Services Automobile Association, appearing and defending
in the name of James Travis Singleton as underinsured motorist
carrier pursuant to Section 38-77-160 of the South Carolina Code,.....Appellant,

v.

John Davis and Jane Davis, Respondents.

NOTICE OF APPEAL

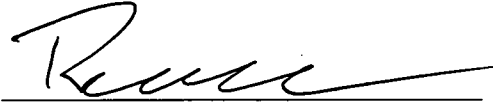
United Services Automobile Association (USAA), appearing and defending in
the name of James Travis Singleton as underinsured motorist (UIM) carrier pursuant to
Section 38-77-160 of the South Carolina Code under an auto policy issued to John A.
Davis, appeals the Orders of the Honorable R. Keith Kelly dated March 6, 2015 and
March 24, 2015. Appellant USAA received electronic mail notice of the entries of these
Orders on March 6, 2015 and March 24, 2015, respectively. Appellant USAA received

written notice of the entry of the March 6, 2015 Order on March 9, 2015. Appellant
USAA has not yet received written notice of the Order dated March 24, 2015.

March 26, 2015

Respectfully submitted,

MURPHY & GRANTLAND, P.A.



Ronald B. Diegel, Esquire
Timothy J. Newton, Esquire
P.O. Box 6648
Columbia, SC 29260
(803) 782-4100
Attorneys for Appellant USAA

Other Counsel of Record:

Marcus K. McGarr, Esq.
MARCUS K. MCGARR, P.A.
108 Whitsett Street
Greenville, S.C. 29601
(864) 298-0089
Attorney for James Travis Singleton

E. Grey Wicker, Esq.
Michael Spears, Esq.
MICHAEL SPEARS, P.A.
Post Office Box 5806
Spartanburg, SC 29304
(864) 583-3535
Attorneys for Respondents



MURPHY & GRANTLAND, P.A.

Ronald B. Diegel*
Direct dial - 803-454-1207
rbdiegel@murphygrantland.com

March 26, 2015

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

RECEIVED
MAR 26 2015
SC Court of Appeals

Re: John Davis and Jane Davis vs. James Travis Singleton
Civil Action No.: 2013-CP-42-3055
Claim No.: 1194455; ALIS #: 2013-10791
Date of Loss: June 17, 2011
Our File No.: 3250-0693

Dear Ms. Kitchings:

Please find enclosed the original, and two (2) copies of the following documents:

1. A Notice of Appeal;
2. A copy of the Orders which are being challenged on Appeal;
3. Proof of Service of the Notice of Appeal on the plaintiff/respondent; and,
4. Filing fee in the amount of \$100.00.

I would appreciate your filing the originals of these documents, clocking the copies, and returning the same to me in the enclosed, self-addressed, stamped envelope provided for your convenience.

Furthermore, please note that by copy of this letter, that I am placing counsel for the plaintiff/respondent on notice that the originals of these documents have been filed with your Court.

As always, I thank you and your staff for all the help and assistance you repeatedly provide with regard to these matters.

Sincerely yours,

Ronald B. Diegel

RBD\smr
Enclosures

cc: E. Grey Wicker, Esq., Michael E. Spears, Esq.
Marcus K. McGarr, Esq.

Telephone 803-782-4100 • Facsimile 803-782-4140 / 803-454-1258
4406-B Forest Drive, Columbia, South Carolina 29206 • Post Office Box 6648, Columbia, South Carolina 29260

Rosayln W. Frierson
Court Administration
200 John C. Calhoun Building
Columbia, SC 29201



MURPHY & GRANTLAND, P.A.

2015-000653

Ronald B. Diegel*
Direct dial - 803-454-1207
rbdiegel@murphygrantland.com

September 5, 2013

Honorable M. Hope Blackley, Clerk
Spartanburg County Clerk of Court
Post Office Box 3483
180 Magnolia Street, Suite 500 (29302)
Spartanburg, SC 29304-3483

Re: John Davis and Jane Davis vs. James Travis Singleton
Civil Action No.: 2013-CP-42-3055
Claim No.: 1194455; ALIS #:
Date of Loss: June 17, 2011
Our File No.: 3250-0693

Dear Ms. Blackley:

Please find enclosed one original and one copy of a Notice of Appearance in the above referenced matter. I would appreciate your office filing the original and returning the stamped copy to me in the enclosed postage paid envelope.

By copy of this letter, I am serving all counsel of record with the same.

If you have any questions or need any assistance from me, please do not hesitate to contact me.

Sincerely yours,

Ronald B. Diegel

RECEIVED
SEP 10 2013
CLERK OF COURT
SPARTANBURG COUNTY
Spartanburg, SC

RBD\anh
Enclosures

CC: Michael E. Spears, Esquire
E. Grey Wicker, Esquire
Marcus K. McGarr, Esquire

Telephone 803-782-4100 • Facsimile 803-782-4140 / 803-454-1258
4406-B Forest Drive, Columbia, South Carolina 29206 • Post Office Box 6648, Columbia, South Carolina 29260

ORIGINAL

STATE OF SOUTH CAROLINA

IN THE COURT OF COMMON PLEAS

COUNTY OF SPARTANBURG

CIVIL ACTION NO: 2013-CP-42-3055

John Davis and Jane Davis,

Plaintiffs,

NOTICE OF APPEARANCE

v.

James Singleton,

Defendant.

TO: MICHAEL E. SPEARS AND E. GARY WICKER, ESQUIRES, ATTORNEYS FOR PLAINTIFFS AND TO THE PLAINTIFFS ABOVE NAMED:

The undersigned, as attorney for USAA , hereby notify and advise this Court, the parties above-named and their attorneys, that they are appearing on behalf of USAA, an insurance carrier which is alleged to provide underinsured motorist coverage to one or more parties to this action and that, in making this appearance, USAA specifically preserves and does not waive any rights pursuant to its policy of insurance including, but not limited to, the applicability of underinsured motorist coverage to this action and further intends to preserve all rights which it may have pursuant to Code Section 38-77-160 (1976 as amended).

(Signature on following page)

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MAY 19 10 31 AM '13
CLERK OF COURT
SOUTH CAROLINA

cm

Respectfully submitted,

MURPHY & GRANTLAND, P.A.



Ronald B. Diegel, Esquire
P.O. Box 6648
Columbia, South Carolina 29260
(803) 782-4100
Attorneys for **USAA**

Columbia, South Carolina
September 5, 2013

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MURPHY & GRANTLAND, P.A.
SEP 10 10 31 AM '13
COLUMBIA, SC

THE STATE OF SOUTH CAROLINA
In the South Carolina Court of Appeals

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James Travis Singleton

Appellant,

v.

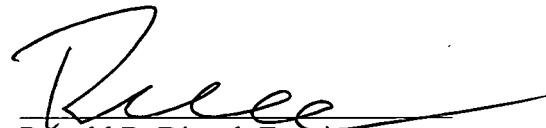
John Davis and Jane Davis

Respondents.

PROOF OF SERVICE

I certify the I have served the Notice of Appeal upon John Davis and Jane Davis, via regular mail, on March 26, 2015, to their attorneys of record, E. Grey Wicker, Esq., and Michael E. Spears, Esq., of Michael Spears, P.A., P.O. Box 5806, Spartanburg, SC 29304. I further certify that I have served the Notice of Appeal upon Defendant Singleton, via regular mail, on March 26, 2015, via his attorney of record, Marcus K. McGarr, Esq., 108 Whitsett Street, Greenville, SC 29601.

March 26, 2015



Ronald B. Diegel, Esquire
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803-782-4100 phone
803-782-4140 fax
Attorney for Appellant USAA