

5

75481

RECEIVED

MAY 14 2015

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

Appeal from Spartanburg County Court of Common Pleas
Roger L. Couch, Circuit Court Judge

Case No. 2012-CP-42-3127

Angela Dawn Simmons, Individually and as General Guardian for
Jerry Dale Simmons, Respondent,



v.

Spartanburg Regional Healthcare System, d/b/a Spartanburg Regional Medical Center*,
Foothills Anesthesia Consultants, P.C. and Adam D. Evec, D.O., Defendants,

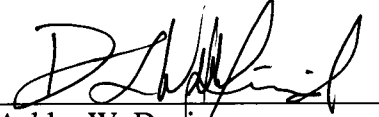
of whom Foothills Anesthesia Consultants, P.C. and Adam D. Evec, D.O.
are the Appellants.

NOTICE OF APPEAL

Foothills Anesthesia Consultants, P.C. and Adam D. Evec, D.O. appeal the May 8, 2015 Order of the Honorable Roger L. Couch, denying their Rule 42 motion to consolidate for trial the above-referenced case—a medical malpractice action on behalf of Jerry Dale Simmons—and a closely related case—his wife’s (Angela Dawn Simmons) loss of consortium action. These two actions involve many common questions of law and fact. In fact, 19 out of the 22 paragraphs of each Amended Complaint are identical. The two Amended Complaints contain identical allegations of negligence on the part of the defendants. Appellants received notice of Judge Couch’s Order on May 8, 2015 but have not yet received a written order.

* Spartanburg Regional Healthcare System was dismissed with prejudice on February 4, 2015, but the case caption has not been properly amended to reflect the dismissal.

May 12, 2015


Ashby W. Davis
David L. Williford
Davis, Snyder & Williford, PA
5 Hawthorne Park Court
Greenville, SC 29615
(864) 335-3500
Attorneys for Appellants

Other Counsel of Record:

Pope D. Johnson, III, Esq.
Attorney at Law
1230 Richland Street
Columbia, SC 29201
(803) 799-9791
Attorney for Respondent

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

Appeal from Spartanburg County Court of Common Pleas
Roger L. Couch, Circuit Court Judge

Case No. 2012-CP-42-3127

Angela Dawn Simmons, Individually and as General Guardian for
Jerry Dale Simmons, Respondent,

v.

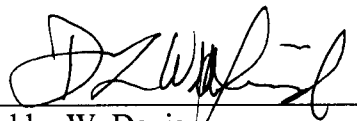
Spartanburg Regional Healthcare System, d/b/a Spartanburg Regional Medical Center*,
Foothills Anesthesia Consultants, P.C. and Adam D. Evec, D.O., Defendants,

of whom Foothills Anesthesia Consultants, P.C. and Adam D. Evec, D.O.
are the Appellants.

PROOF OF SERVICE

I certify that I have served the Notice of Appeal on Angela Dawn Simmons, Individually and as General Guardian for Jerry Dale Simmons, by depositing a copy of it in the United States Mail, postage prepaid, on May 12, 2015, addressed to her attorney of record, Pope D. Johnson, III, Attorney at Law, 1230 Richland Street, Columbia, SC, 29201.

May 12, 2015



Ashby W. Davis
David L. Williford
Davis, Snyder & Williford, PA
5 Hawthorne Park Court
Greenville, SC 29615
(864) 335-3500
Attorneys for Appellants

RECEIVED

MAY 14 2015

SC Court of Appeals

DAVIS, SNYDER & WILLIFORD, P.A.

ATTORNEYS AT LAW
5 HAWTHORNE PARK COURT
GREENVILLE, SC 29615

TELEPHONE
(864) 335-3500

FAX
(864) 335-3505

dsandwlaw.com

ASHBY W. DAVIS*
STEVEN A. SNYDER
DAVID L. WILLIFORD
COLLIE W. "TRIP" LEHN, JR.
KEITH D. KNOWLTON

*ALSO ADMITTED IN GEORGIA

May 12, 2015

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

Re: Angela Dawn Simmons, Individually and as General Guardian for Jerry Dale Simmons, v. Spartanburg Regional Healthcare System d/b/a Spartanburg Regional Medical Center, Foothills Anesthesia Consultants, P.C. and Adam Evec, D.O.

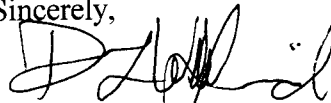
C.A. No.: 2012-CP-42-3127

Dear Ms. Kitchings:

Enclosed for filing is the original notice of appeal in the above case. Also enclosed are the following:

1. Proof of service of the notice of appeal on the respondent.
2. A filing fee of \$100.

Sincerely,



David L. Williford
Davis, Snyder & Williford, PA
5 Hawthorne Park Court
Greenville, SC 29615
(864) 335-3500
Attorneys for Appellants

DLW/cwl

Enclosures

Cc: Pope D. Johnson, III (w/encl.)

Other Counsel of Record:

Pope D. Johnson, III, Esq.
Attorney at Law
1230 Richland Street
Columbia, SC 29201
(803) 799-9791
Attorney for Respondent

DAVIS, SNYDER & WILLIFORD, P.A.
ATTORNEYS AT LAW
5 HAWTHORNE PARK COURT
GREENVILLE, SC 29615



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

RECEIVED

MAY 14 2015

SC Court of Appeals

2521131629 6012

