



MURPHY & GRANTLAND, P.A.

Brent M. Boyd
Direct dial 803-454-1210
bboyd@murphygrantland.com

RECEIVED

August 26, 2015

AUG 31 2015

Via E-mail and Regular Mail

The Honorable Charles B. Simmons, Jr.
Greenville County Courthouse
305 E North Street, Suite 313
Greenville, SC 29601-2100

S.C. SUPREME COURT

Re: Ronald E. Ferguson and Susan M. Ferguson vs. Christopher Todd Usher, Addison Corporation and Addison Homes, LLC
Civil Action No.: 2013-CP-23-03179
Claim No. 1830208
Insured: Addison Homes, LLC
Our File No.: 1555-0005

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and

AUG 31 2015

Re: Michael Stehney vs. Ferguson et al
Civil Action No.: 2013-CP-23-01715

SC Court of Appeals

Dear Judge Simmons:

As you may recall, I represent Addison Homes, LLC and Christopher Todd Usher in Ronald E. Ferguson and Susan M. Ferguson vs. Christopher Todd Usher, Addison Corporation and Addison Homes, LLC, Civil Action No.: 2013-CP-23-03179. I am writing you concerning several matters in the above-referenced cases.

First, I am seeking clarification from you concerning a Notice of Appeal I received from Ronald J. Ferguson concerning the recent discovery rulings you made in the above-referenced cases. (Attached hereto as Ex. A). The Notice purports to appeal the Discovery Order for both the case of Ronald E. Ferguson and Susan M. Ferguson vs. Christopher Todd Usher, Addison Corporation and Addison Homes, LLC, Civil Action No.: 2013-CP-23-03179, in which Plaintiffs are represented by Nathan Farmer, Esquire, of the firm of Patterson & Associates, and the case of Michael Stehney vs. Ferguson et al, Civil Action No.: 2012-CP-23-01715, in which Ronald E. Ferguson, Susan M. Ferguson and Ronald J. Ferguson are pro se. Nathan Farmer, who is counsel for Plaintiffs in Ronald E. Ferguson and Susan M. Ferguson vs. Christopher Todd Usher, Addison Corporation and Addison Homes, LLC, Civil Action No.: 2013-CP-23-03179, did not file or sign the appeal. Accordingly, I

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

object to a non-lawyer layperson, who is not a party, being able to file and serve a Notice of Appeal on behalf of Plaintiffs who are already represented by counsel. Accordingly, I take the position the appeal is not valid with respect to the case of Ronald E. Ferguson and Susan M. Ferguson vs. Christopher Todd Usher, Addison Corporation and Addison Homes, LLC, Civil Action No.: 2013-CP-23-03179.

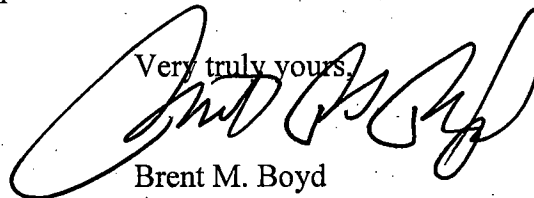
Second, as a result of the attempt to appeal the case of Ronald E. Ferguson and Susan M. Ferguson vs. Christopher Todd Usher, Addison Corporation and Addison Homes, LLC, Plaintiffs are refusing to allow an inspection of their home by Defendant Todd Usher, Addison Homes, LLC, and their counsel and expert, which is contrary to the Court's Order. We have offered multiple dates on which we can inspect the home, and Plaintiffs have refused access, because it is my understanding they take the position the Order allowing an inspection is stayed pending the appeal.

Finally, Plaintiffs' counsel Nathan Farmer filed a Motion to Reconsider your Order granting Defendants' Motion to Quash with respect to the portion of the Order that addressed the disposition of documents obtained by the Ferguson's from subpoenas to Greer State Bank and the SC LLR that were improperly served. Despite the fact a representation was made to your Honor that no subpoenas had been served other than the ones to Greer State Bank and the S.C. LLR, Addison Homes has been contacted by two additional entities that have been served with subpoenas (Subpoenas attached hereto as Ex. B). Counsel did not receive a copy of these subpoenas prior to service. Regardless, Plaintiffs' counsel and I are working on the language of his Proposed Order on Reconsideration, and we hope to have an agreed upon final proposed Order to you once the Notice to Appeal issue has been addressed.

Thank you for any assistance you can provide by way of clarification. If need be, we will file the appropriate motion with the Supreme Court, but it is my hope that in short order we can dispose of the attempt to appeal the case of Ronald E. Ferguson and Susan M. Ferguson vs. Christopher Todd Usher, Addison Corporation and Addison Homes, LLC.

With kind regards, I remain

Very truly yours,



Brent M. Boyd

BMB/kes

cc: Counsel of Record
Mr. and Mrs. Ferguson and
Ronald J. Ferguson
Clerk of Court, Supreme Court of SC
Clerk of Court, Greenville County
Christopher Todd Usher

THE STATE OF SOUTH CAROLINA
In The Supreme Court

APPEAL FROM GREENVILLE COUNTY
Court of Common Pleas

Charles B. Simmons, Circuit Court Judge

Case No. 2013-CP-23-01715

Michael Stehney, Jr.,

Respondent,

v.

Ronald E. Ferguson, Susan M. Ferguson and
Ronald J. Ferguson,

Appellant,

Case No. 2013-CP-23-03179

Ronald E. Ferguson and Susan M. Ferguson,

Respondent,

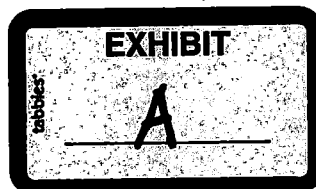
v.

Christopher Todd Usher, Addison Corporation and
Addison Homes, LLC,

Respondent.

NOTICE OF APPEAL

Ronald J. Ferguson appeals the Order of the Master-in-Equity Charles B. Simmons, Jr., dated July 24, 2015, and received via United States Postal Service on July 28, 2015, in the above styled consolidated cases. Appellant would respectfully submit the interlocutory order is ripe for review




pursuant to S.C. Code § 14-3-330(2) where the lower court's conduct prior conduct in violating U.S. Code §1446(d) by Order dated November 6, 2014, has continued with contravention of established United States Supreme Court precedent which has affected a substantial right, the right to pursue a defense as defined in S.C. Code 15-38-15(D).

Among several secondary matters subject to review would be the Master-in-Equity's Order directing that Appellant allow an inspection of a residence which he is partial owner and appear for deposition in the 2013-CP-23-03179 matters when: A) Appellant did not receive prior notices pursuant to SCRCF, was not served, named or otherwise represented in the Motion to Compel or given adequate opportunity to address such matters raised; B) The Master-in-Equity failed to disclose the fact he had been engaged in dialogue with opposing counsel and/or other third parties without knowledge of appellant; and C) that communication is relevant to the Court's conduct in violation of S.C. Code §40-59-190 and decision to have hearing and subsequent Order violating S.C. Code § 40-1-190. Appellant would assert that complying with the Order would be a violation of established law and State practices, cause irreversible damage, render certain claims moot, and affect the rights of the State of South Carolina to maintain their policies and practices regarding due process in administrative matters.

Respectfully submitted,

August 14, 2015


Ronald J. Ferguson
103 Mill Creek Road
Piedmont, South Carolina 29673
864-509-0169

Other Counsel of Record:
Patterson & Associates, P.A.
Nathaniel C. Farmer
1088 North Church Street
Greenville, SC 29601

Chace Campbell, P.A.
Chace M. Campbell
12 East Stone Street
Greenville, SC 29609

Murphy & Grantland, P.A.
Brent M. Boyd
PO BOX 6648
Columbia, SC 29260

Brown, Massey, Evans, McLeod & Haynsworth, LLC
E. Zachary Horton
106 Williams Street
Greenville, SC 29602

THE STATE OF SOUTH CAROLINA
In The Supreme Court

APPEAL FROM GREENVILLE COUNTY
Court of Common Pleas

Charles B. Simmons, Circuit Court Judge

Case No. 2013-CP-23-01715

Michael Stehney, Jr.,

Respondent,

v.

Ronald E. Ferguson, Susan M. Ferguson and
Ronald J. Ferguson,

Appellant,

Case No. 2013-CP-23-03179

Ronald E. Ferguson and Susan M. Ferguson,

Respondent,

v.

Christopher Todd Usher, Addison Corporation and
Addison Homes, LLC,

Respondent.

CERTIFICATE OF SERVICE

I certify, that on this date, I served a copy of the Notice of Appeal, dated 03/35/2015 on
Respondent's Attorneys of record by

_____ delivering it to him/her personally; or,

_____ mailing it to him/her, at his/her last known address, by depositing it in the U.S. Mail, in an
envelope with sufficient postage affixed, addressed as follows; or,

X mailing it to the address indicated by their counsel of record as follows:

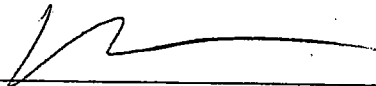
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Greenville, SC 29601

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Greenville, SC 29609

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Brent M. Boyd
PO BOX 6648
Columbia, SC 29260

Brown, Massey, Evans, McLeod & Haynsworth, LLC
E. Zachary Horton
106 Williams Street
Greenville, SC 29602

This the 14 day of August, 2015.



Ronald J. Ferguson

STATE OF SOUTH CAROLINA)

COUNTY OF GREENVILLE)

Michael Stehney, Jr)

Plaintiff,)

vs.)

Ronald E. Ferguson, Susan M. Ferguson,)

Ronald J. Ferguson)

Defendant.)

IN THE CIRCUIT COURT
THIRTEENTH JUDICIAL CIRCUIT

SUBPOENA IN A CIVIL CASE

Docket No. 2013CP2301715

TO: Jamieson Grading, C/O Diana Kilgore 6719-A State Park Road Travelers Rest, SC 29690

YOU ARE COMMANDED to appear in the above named court at the place, and time specified below to testify in the above case.

PLACE OF TESTIMONY	COURTROOM
	DATE AND TIME (<input type="checkbox"/> A.M./ <input type="checkbox"/> P.M.)

YOU ARE COMMANDED to appear at the place, date, and time specified below to testify at the taking of a deposition in the above case.

PLACE OF DEPOSITION	DATE AND TIME (<input type="checkbox"/> A.M./ <input type="checkbox"/> P.M.)
---------------------	---

YOU ARE COMMANDED to produce and permit inspection and copying of the following documents or objects in your possession, custody or control at the place, date and time specified below (list documents or objects):

All time sheets, Bills of Lading, sales and/or purchase orders, receipts and/or other record of purchases for materials, delivery of such and/or labor and payment(s) received therefrom during the period of October 16, 2012 through June 30, 2013, to Christopher Todd Usher, S.C. Licensed Builder #1819503 / RBB.9503, Addison Homes, LLC and Addison Corporation

PLACE 103 Mill Creek Rd, Piedmont, SC 29673	DATE AND TIME 06/25/2015, 3:00 (<input type="checkbox"/> A.M./ <input checked="" type="checkbox"/> P.M.)
--	---

YOU ARE COMMANDED to permit inspection of the following premises at the date and time specified below.

PREMISES	DATE AND TIME (<input type="checkbox"/> A.M./ <input type="checkbox"/> P.M.)
----------	---

ANY SUBPOENAED ORGANIZATION NOT A PARTY TO THIS IS HEREBY DIRECTED TO RULE 30(b)(6), SOUTH CAROLINA RULES OF CIVIL PROCEDURE, TO FILE A DESIGNATION WITH THE COURT SPECIFYING ONE OR MORE OFFICERS, DIRECTORS, OR MANAGING AGENTS, OR OTHER PERSONS WHO CONSENT TO TESTIFY ON ITS BEHALF, SHALL SET FORTH, FOR EACH PERSON DESIGNATED, THE MATTERS ON WHICH HE WILL TESTIFY OR PRODUCE DOCUMENTS OR THINGS. THE PERSON SO DESIGNATED SHALL TESTIFY AS TO MATTERS KNOWN OR REASONABLY AVAILABLE TO THE ORGANIZATION.

I CERTIFY THAT THE SUBPOENA IS ISSUED IN COMPLIANCE WITH RULE 45(e)(1), AND THAT NOTICE AS REQUIRED BY RULE 45(b)(1) HAS BEEN GIVEN TO ALL PARTIES.

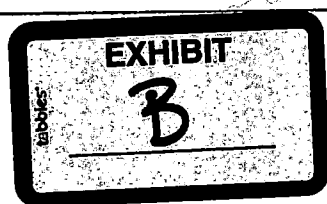
Attorney/Issuing Officer's Signature	Date	Print Name
Indicate if Attorney for Plaintiff or Defendant		
Attorney's Address and Telephone Number :		

<i>Paul B. Wickensimer</i>	5/19/15	Paul B. Wickensimer
Clerk of Court/Issuing Officer's Signature	Date	Print Name

Pro Se Litigant's Name, Address and Telephone Number :
 Ronald Ferguson, 103 Mill Creek Road, Piedmont, SC 29673
 (864) 509-0169

Custodial Parent (if applicable): _____

SCCA 254F (05/2011)



STATE OF SOUTH CAROLINA)

COUNTY OF GREENVILLE)

Michael Stehney, Jr)

Plaintiff,)

vs.)

Ronald E. Ferguson, Susan M. Ferguson)
Ronald J. Ferguson)

Defendant.)

IN THE ~~STATE~~ COURT
THIRTEENTH JUDICIAL CIRCUIT

SUBPOENA IN A CIVIL CASE

Docket No. 2013CP2301715

TO: SH Carter Development, Inc ATTN Steven Carter 51 Sentell Rd, Greenville, SC 29611

YOU ARE COMMANDED to appear in the above named court at the place, and time specified below to testify in the above case.

PLACE OF TESTIMONY	COURTROOM
	DATE AND TIME (<input type="checkbox"/> A.M. / <input type="checkbox"/> P.M.)

YOU ARE COMMANDED to appear at the place, date, and time specified below to testify at the taking of a deposition in the above case.

PLACE OF DEPOSITION	DATE AND TIME (<input type="checkbox"/> A.M. / <input type="checkbox"/> P.M.)
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PLACE 103 Mill Creek Rd, Piedmont, SC 29673	DATE AND TIME 06/25/2015, 3:00 (<input type="checkbox"/> A.M. / <input checked="" type="checkbox"/> P.M.)
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I CERTIFY THAT THE SUBPOENA IS ISSUED IN COMPLIANCE WITH RULE 45(c)(1), AND THAT NOTICE AS REQUIRED BY RULE 45(b)(1) HAS BEEN GIVEN TO ALL PARTIES.

Attorney/Issuing Officer's Signature Indicate if Attorney for Plaintiff or Defendant Attorney's Address and Telephone Number:	Date	Print Name
---	------	------------

<i>Paul B. Wikensimer</i>	5/19/15	Paul B. Wikensimer
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Clerk of Court/Issuing Officer's Signature Pro Se Litigant's Name, Address and Telephone Number: Ronald Ferguson, 103 Mill Creek Road, Piedmont, SC 29673 (864) 509-0169	Date	Print Name
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Custodial Parent (if applicable): _____

SCCA 254F (05/2011)

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SC Court of Appeals

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Columbia; SC 29260

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AUG 31 2015

Daniel E. Shearouse, Clerk of Court
Supreme Court of South Carolina
Supreme Court Building
P.O. Box 11330
Columbia, SC 29211

SC Court of Appeals

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