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THE STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

RECEIVED

APPEAL FROM GREENVILLE COUNTY  
Court of Common Pleas

SEP 18 2015

SC Court of Appeals

Honorable Charles B. Simmons, Jr., Circuit Court Judge

Case No.: 2012-CP-23-4064

Piedmont Natural Gas Company, Inc.,.....Appellant,

v.

Richeous Smith, Worthly Smith a/k/a, Worley Smith, Pearl Terry, Ethel Butler, Tweety Smith a/k/a Tweety Smith Harris, Doreth Smith, Fletcher Lee Harris, Alma Williams Smith, James R. Smith, Loree Smith, Gene A. Smith, Adolf Smith, Janie Sue Smith, Samuel Paul Smith, Ruby Smith Mansell, Buford Mansell, Ethel Mae Smith, Wilson Smith, Patrick R. Smith, Reginald Lamont Smith, Eric Smith, Christine Smith Dawkins, William G. Dawkins, Alma Renee Smith Murry, Sharai Smith Brock, Robert Lee Smith, Melissa F. Smith, Rosalyn Annette Steven, Edith Smith Foster, George Waymon Foster, Bridgette Smith Blassingame, Tara Smith, Waymon Odell Smith, Martha Miller Smith, Calvin Lee Smith, Reece W. Smith, Raymond Eddie Smith, Michael Smith, Odell Smith, Dorothy Smith Pearson, Gary Pearson, Jerome Smith, Jaygo Terry, Ida Terry, Mack Terry, Zone Terry, Leola Terry Smith, James Smith, J. P. Terry, David Brayvelle Terry, Ettie Pearl Booker, Tecora O. Terry Mason, Odell Mason, Lenora Holley, Dorothy Terry Sheppard, Orangelee Sheppard, Vernon Sheppard, Kasandra Sheppard Jenkins, Karen Sheppard Spates, Theodore Terry, Sr., Gracie Terry, Kelvin F. Terry, Theodore Terry, Jr., Keith Terry, Leola Terry Daniels, Wilford Daniels, Terrance Leslie, Sr., Derrick McGee, Jr., Fred Smith, Jr., Mannell Terry, Patricia Terry, Sheila Terry, Barbara Evans, Leonard Evans, Linda Evans, Thomas Evans, Johnny R. Williams, Connie Evans, Michael Evans, Iola Terry Cox, William Henry Cox, Johnny F. Cox, Joyce A. Smith, Anthony Cox, Alfred Cox, J. Henry Cox, Charlette J. Cox, Charles J. Cox, Michael Cox, Supearl Terry Gilliam a/k/a Supearl Terry Gilliam Miranda, Eugene Gilliam, Terry Gilliam, Jerry Gilliam, Warren Gilliam, Eugene Gilliam, Jr., Melvin Gilliam, Rodney Gilliam, Cindy Gilliam, Shakima Gilliam, Carmella Cottom, Nina Gilliam, Vermell Gilliam Phillips, Shaynise Alston, John Gilliam, Donald Gilliam, Sr., Leunette Gilliam, Donnette Gilliam Ortchere, Leslie Gilliam Peter, Angela Gilliam, Donald E. Gilliam, Raymond T. Gilliam, Juan Miranda, Carmen Miranda a/k/a Carmen Miranda Glavin, John Glavin, Sr., John Glavin, Jr., Miranda Glavin, Jeffrey Glavin, Yolanda Glavin, Ezell Terry, Magaline Terry, Leroy Terry, Kenneth Terry, James (Jimmy) Terry, Pearlie Mae Terry,

Winnie L. Terry Anderson, Furman Anderson, Tommy Anderson, Abigail Dodd, Angela Reid, Sandra McDowell, Harold Anderson, Mary Ann Davis, Charlene Peaks, Albert Anderson, Paul Terry, Betty Jo Terry, Donald E. Terry, Deloris I. Terry, Paul A. Terry, Mark G. Terry, Terry Sholer, Jamie Terry, James O.C. Smith, Pauline Smith, Gloria Gore, Paul Smith, Ethel Allen, Desiree Golden, Pauline Workman, Brenda Moulhem, Eric Rogers, Tonya S. Turner, LaTasha D. Terry, and if any of the aforementioned be deceased, then their heirs, successors, devisees, distributees, Administrators, Executors and Personal Representatives, and any party claiming by or through them, The United States of America, acting by and through its agency, the Internal Revenue Service, The United States of America, acting by and through its agency the United States Department of Justice, The South Carolina Department of Revenue, The South Carolina Department of Mental Health, The State of South Carolina, Bullhead Investments, LLC, Arrow Financial Services, LLC, Sharonview Federal Credit Union, Discover Bank, Zachery Arnold, GE Commercial Finance Business Property Corporation, Midland Funding, LLC, Greenville County, John Doe and Mary Roe, being fictitious names used to represent all persons and condemnees whose true names are not known, including the heirs, successors, devisees, distributees, Administrators, Executors and Personal Representatives of any of the above named Landowners and Other Condemnees who may be deceased; and also all Condemnees whose names are not known, including heirs, infants, persons under disability and persons who may be in Military service, who claim, or may claim, an interest in the property being condemned, and also all other persons unknown, claiming any right, title, estate, interest in or lien upon the real estate described in the Condemnation Notice and Tender of Payment herein, said property being identified as a portion of Greenville County Tax Map Numbers 0531010102100 and 0531010102101,.....Respondents.

Of whom:

Ethel Allen; Shaynise Alston; Harold Anderson; Tommy Anderson; Bridgette Smith Blassingame; Sharai Smith Brock; Carmella Cottom; Alfred Cox; Anthony Cox; Mary Ann Davis; William G. Dawkins; Abigail Dodd; Linda Evans; Michael Evans; Thomas Evans; Chavonte Gilliam; Cindy Gilliam; Derrick Gilliam; Donald E. Gilliam, Jr.; John L. Gilliam; Lakisha Gilliam; Latonya Gilliam; Leunette Gilliam; Mattie M. Gilliam; Nina Gilliam; Raymond T. Gilliam; Rodney Gilliam; Shakima Gilliam; Warren Gilliam; Desiree Golden; Gloria Gore; Lenora Holley; Kasandra Sheppard Jenkins; Terrance Leslie, Sr.; Sandra McDowell; Derrick McGee, Jr.; Brenda Moulhem; Alma Rene Smith Murry; Charlene Peake; Leslie Gilliam Peter; Angela Reid; Orangelee Sheppard; Vernon Lee Sheppard; Charles Terry Sholer; Calvin Smith; Eric Smith; Fred Smith, Jr.; Gene A. Smith; James R. Smith; Joyce A. Smith; Loree Smith; Martha Miller Smith; Patrick Smith; Paul Smith; Reginald Lamont Smith; Tara Smith; Karen Regenia Spates; Rosalyn Annette Steven; Betty Jo Terry; Donald E. Terry; Deloris I. Terry; Gracie Terry; Jamie Terry; Keith Terry; Kelvin F. Terry; Leroy Terry; Mark G. Terry; Paul Terry, Jr.; Theodore Terry, Jr.; Porsha Williams; and Pauline Workman.....Respondents/Appellants,

Piedmont Natural Gas Company, Inc.; Richeous Smith (deceased); Worthy Smith a/k/a Worley Smith (deceased); Pearl Terry (deceased); Ethel Butler (deceased); Tweety Smith a/k/a Tweety Smith Harris (deceased); Doreth Smith (deceased); Fletcher Lee Harris (deceased); Alma Williams Smith (deceased); Adolf Smith (deceased); Janie Sue Smith (deceased); Samuel Paul Smith (deceased); Ruby Smith Mansell (deceased); Buford Mansell (deceased); Ethel Mae Smith (deceased); Wilson Smith (deceased); Christine Smith Dawkins (deceased); Robert Lee Smith (deceased); Melissa F. Smith; Edith Smith Foster (deceased); George Waymon Foster (deceased); Waymon Odell Smith (deceased); Reece W. Smith; Raymond Eddie Smith; Michael Smith; Odell Smith; Dorothy Smith Pearson (deceased); Gary Pearson (deceased); Jerome Smith; Jaygo Terry (deceased); Ida Terry (deceased); Mack Terry (deceased); Zone Terry (deceased); Leola Terry Smith (deceased); James Smith (deceased); J. P. Terry (deceased); David Brayvelle Terry (deceased); Ettie Pearl Booker; Tecora O. Terry Mason (deceased); Odell Mason (deceased); Dorothy Terry Sheppard (deceased); Theodore Terry, Sr. (deceased); Leola Terry Daniels (deceased); Wilford Daniels; Terrance Leslie, Sr. (deceased); Terrance Leslie, Jr.; Terrell Leslie; Teaira Leslie; Mannell Terry (deceased); Patricia Terry; Sheila Terry; Barbara Evans (deceased); Leonard Evans (deceased); Johnny R. Williams (deceased); Donald Ray Gilliam (deceased); Connie Evans (deceased); Iola Terry Cox (deceased); William Henry Cox (deceased); Johnny F. Cox; J. Henry Cox (deceased); Charlette J. Cox (deceased); Charles J. Cox (deceased); Michael Cox (deceased); Supearl Terry Gilliam a/k/a Supearl Terry Gilliam Miranda (deceased); Eugene Gilliam (deceased); Terry Gilliam; Jerry Gilliam; Eugene Gilliam, Jr. (deceased); Melvin Gilliam (deceased); Rodney Gilliam (deceased); Vermell Gilliam Phillips (deceased); Donald Gilliam, Sr. (deceased); Donnette Gilliam Ortchere; Angela Gilliam; Juan Miranda (deceased); Carmen Miranda a/k/a Carmen Miranda Glavin (deceased); John Glavin, Sr.; John Glavin, Jr.; Miranda Glavin; Jeffrey Glavin; Yolanda Glavin; Ezell Terry (deceased); Magaline Terry (deceased); Leroy Terry; Kenneth Terry; James (Jimmy) Terry; Pearl Mae Terry; Winnie L. Terry Anderson (deceased); Furman Anderson (deceased); Albert Anderson (deceased); Paul Terry (deceased); James O. C. Smith (deceased); Pauline Smith (deceased); Ira K. Carroll; Demetrius J. Gilliam; Kehimonnie S. Gilliam; Bianca S. Gilliam; Eric Rogers; Tonya S. Turner; LaTasha D. Terry; and if any of the aforementioned be deceased, then their heirs, successors, devisees, distributees, Administrators, Executors, and Personal Representatives, and any party claiming by or through them; The United States of America, acting by and through its agency, the Internal Revenue Service; The United States of America, acting by and through its agency, the United States Department of Justice; The South Carolina Department of Revenue; The South Carolina Department of Mental Health; The State of South Carolina; Bullhead Investments, LLC; Arrow Financial Services, LLC; Sharonview Federal Credit Union; Discover Bank; Zachery Arnold; GE Commercial Finance Business Property Corporation; Midland Funding, LLC; Greenville County; John Doe and Mary Roe, being fictitious names used to represent all persons and landowners whose true names are not known, including the heirs, successors, devisees, distributees, Administrators, and Personal Representatives of any of the above-named Landowners and Lienholders who may be deceased; and also all landowners whose names are not known, including heirs, infants, persons under disability and persons who may be in military service, who claim, or may claim, an interest in the property at issue in this matter, and also all other persons unknown, claiming any right, title estate, interest in, or lien

upon the property described in the Lis Pendens herein, said property being identified as a portion of Greenville County Tax Map Numbers 0531010102100 and 0531010102101,.....Appellants/Respondents.

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**NOTICE OF APPEAL**

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Ethel Allen, Shaynise Alston, Harold Anderson, Tommy Anderson, Bridgette Smith Blassingame, Sharai Smith Brock, Carmella Cottom, Alfred Cox, Anthony Cox, Mary Ann Davis, William G. Dawkins, Abigail Dodd, Linda Evans, Michael Evans, Thomas Evans, Chavonte Gilliam, Cindy Gilliam, Derrick Gilliam, Donald E. Gilliam, Jr., John L. Gilliam, Lakisha Gilliam, Latonya Gilliam, Leunette Gilliam, Mattie M. Gilliam, Nina Gilliam, Raymond T. Gilliam, Rodney Gilliam, Shakima Gilliam, Warren Gilliam, Desiree Golden, Gloria Gore, Lenora Holley, Kasandra Sheppard Jenkins, Terrance Leslie, Sr., Sandra McDowell, Derrick McGee, Jr., Brenda Moulhem, Alma Rene Smith Murry, Charlene Peake, Leslie Gilliam Peter, Angela Reid, Orangelee Sheppard, Vernon Lee Sheppard, Charles Terry Sholer, Calvin Smith, Eric Smith, Fred Smith, Jr., Gene A. Smith, James R. Smith, Joyce A. Smith, Loree Smith, Martha Miller Smith, Patrick Smith, Paul Smith, Reginald Lamont Smith, Tara Smith, Karen Regenia Spates, Rosalyn Annette Steven, Betty Jo Terry, Donald E. Terry, Deloris I. Terry, Gracie Terry, Jamie Terry, Keith Terry, Kelvin F. Terry, Leroy Terry, Mark G. Terry, Paul Terry, Jr., Theodore Terry, Jr., Porsha Williams, and Pauline Workman (hereinafter the "Smith Family) hereby appeal from: (1) the Order Determining Interest Due on Verdict by the Honorable Charles B. Simmons, Jr., filed on August 10, 2015, in the above-referenced matter; and (2) the Order filed on August 19, 2015, denying the Smith Family's Motion to Reconsider, Alter or Amend that Order. The Smith Family timely filed its Motion to Reconsider on August 13, 2015. An Order denying the Smith Family's Motion to Reconsider was issued on August 19, 2015, without a hearing. This Notice of Appeal is being timely served within thirty (30) days of the Smith Family's receipt of written notice of the Order denying the Smith Family's Motion to Reconsider on August 24, 2015.

The Smith Family has previously requested and received the transcript from the post-trial motion hearing from the court reporter; therefore, the time for filing the initial brief of the Smith Family Appellants/Respondents will begin to run on the date of service of the within Notice of Appeal.

Respectfully submitted this 15<sup>th</sup> day of September, 2015.

{Signature page follows}



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Greer, SC 29651

*Landowner/Condemnee*

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*Landowner/Condemnee*

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*Landowner/Condemnee*

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Buffalo, NY 14211

*Landowner/Condemnee*

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*Landowner/Condemnee*

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*Landowner/Condemnee*

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*Landowner/Condemnee*

Sheila Terry  
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Buffalo, NY 14204

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CT Corporation System  
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Zachery Arnold  
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THE STATE OF SOUTH CAROLINA  
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APPEAL FROM GREENVILLE COUNTY  
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v.

Piedmont Natural Gas Company, Inc.; Richeous Smith (deceased); Worthy Smith a/k/a Worley Smith (deceased); Pearl Terry (deceased); Ethel Butler (deceased); Tweety Smith a/k/a Tweety Smith Harris (deceased); Doreth Smith (deceased); Fletcher Lee Harris (deceased); Alma Williams Smith (deceased); Adolf Smith (deceased); Janie Sue Smith (deceased); Samuel Paul Smith (deceased); Ruby Smith Mansell (deceased); Buford Mansell (deceased); Ethel Mae Smith (deceased); Wilson Smith (deceased); Christine Smith Dawkins (deceased); Robert Lee Smith (deceased); Melissa F.

Smith; Edith Smith Foster (deceased); George Waymon Foster (deceased); Waymon Odell Smith (deceased); Reece W. Smith; Raymond Eddie Smith; Michael Smith; Odell Smith; Dorothy Smith Pearson (deceased); Gary Pearson (deceased); Jerome Smith; Jaygo Terry (deceased); Ida Terry (deceased); Mack Terry (deceased); Zone Terry (deceased); Leola Terry Smith (deceased); James Smith (deceased); J. P. Terry (deceased); David Brayville Terry (deceased); Ettie Pearl Booker; Tecora O. Terry Mason (deceased); Odell Mason (deceased); Dorothy Terry Sheppard (deceased); Theodore Terry, Sr. (deceased); Leola Terry Daniels (deceased); Wilford Daniels; Terrance Leslie, Sr. (deceased); Terrance Leslie, Jr.; Terrell Leslie; Teaira Leslie; Mannell Terry (deceased); Patricia Terry; Sheila Terry; Barbara Evans (deceased); Leonard Evans (deceased); Johnny R. Williams (deceased); Donald Ray Gilliam (deceased); Connie Evans (deceased); Iola Terry Cox (deceased); William Henry Cox (deceased); Johnny F. Cox; J. Henry Cox (deceased); Charlette J. Cox (deceased); Charles J. Cox (deceased); Michael Cox (deceased); Supearl Terry Gilliam a/k/a Supearl Terry Gilliam Miranda (deceased); Eugene Gilliam (deceased); Terry Gilliam; Jerry Gilliam; Eugene Gilliam, Jr. (deceased); Melvin Gilliam (deceased); Rodney Gilliam (deceased); Vermell Gilliam Phillips (deceased); Donald Gilliam, Sr. (deceased); Donnette Gilliam Ortchere; Angela Gilliam; Juan Miranda (deceased); Carmen Miranda a/k/a Carmen Miranda Glavin (deceased); John Glavin, Sr.; John Glavin, Jr.; Miranda Glavin; Jeffrey Glavin; Yolanda Glavin; Ezell Terry (deceased); Magaline Terry (deceased); Leroy Terry; Kenneth Terry; James (Jimmy) Terry; Pearlie Mae Terry; Winnie L. Terry Anderson (deceased); Furman Anderson (deceased); Harold Anderson; Albert Anderson (deceased); Paul Terry (deceased); James O. C. Smith (deceased); Pauline Smith (deceased); Ira K. Carroll; Demetrius J. Gilliam; Kehiminnie S. Gilliam; Bianca S. Gilliam; Eric Rogers; Tonya S. Turner; LaTasha D. Terry; and if any of the aforementioned be deceased, then their heirs, successors, devisees, distributes, Administrators, Executors, and Personal Representatives, and any party claiming by or through them; The United States of America, acting by and through its agency, the Internal Revenue Service; The United States of America, acting by and through its agency, the United States Department of Justice; The South Carolina Department of Revenue; The South Carolina Department of Mental Health; The State of South Carolina; Bullhead Investments, LLC; Arrow Financial Services, LLC; Sharonview Federal Credit Union; Discover Bank; Zachery Arnold; GE Commercial Finance Business Property Corporation; Midland Funding, LLC; Greenville County; John Doe and Mary Roe, being fictitious names used to represent all persons and landowners whose true names are not known, including the heirs, successors, devisees, distributes, Administrators, and Personal Representatives of any of the above-named Landowners and Lienholders who may be deceased; and also all landowners whose names are not known, including heirs, infants, persons under disability and persons who may be in military service, who claim, or may claim, an interest in the property at issue in this matter, and also all other persons unknown, claiming any right, title estate, interest in, or lien upon the property described in the Lis Pendens herein, said property being identified as a portion of Greenville County Tax Map Numbers 0531010102100 and 0531010102101,.....Appellants/Respondents.

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**CERTIFICATE OF SERVICE**

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The undersigned hereby certifies that she has served the Notice of Appeal on counsel of

record and parties in this action as well as the Clerk of Court for Greenville County by depositing a copy of the same in the United States mail, postage prepaid, on September 15, 2015, addressed as follows:

The Honorable Charles B. Simmons, Jr.  
Greenville County Clerk of Court  
305 E. North St.  
Greenville, SC 29601

Appellants/Respondents served:

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Dated this 15<sup>th</sup> day of September, 2015.



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J.J. Andrighetti  
Alex Kornfeld



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— ATTORNEYS AT LAW —

September 15, 2015

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

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C. A. No.: 2012-CP-23-4064

Ladies/Gentlemen:

Enclosed please find an original and two (2) copies of a Notice of Appeal in the above-captioned matter, along with this firm's check in the amount of \$100.00, which represents the filing fee. I would appreciate if you would file the original and return the two copies to me in the enclosed envelope. Should you have any questions or concerns, please don't hesitate to contact me.

With kind regards, I remain,

Yours very truly,

Erin Culbertson  
erin@palmettolawfirm.com

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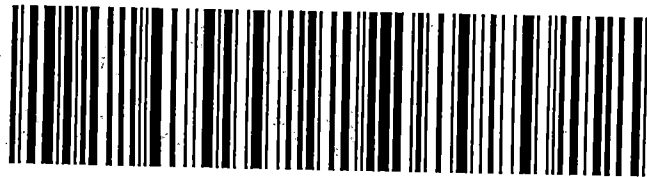
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