

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

RECEIVED

APPEAL FROM GREENVILLE COUNTY
Court of Common Pleas

SEP 28 2015

SC Court of Appeals

Charles B. Simmons, Circuit Court Judge

Case No. 2012-CP-23-04064
Appellate Case No. 2015-001909

Piedmont Natural Gas Company, Inc.,Appellant,

v.

Richeous Smith, Worthy 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 Brayvell 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, Jr., Terrell Leslie, Teaira Leslie, Derrick McGee, Jr., Fred Smith, Jr., Mannell Terry, Patricia Terry, Sheila Terry, Barbara Evans, Leonard Evans, Linda Evans, Thomas Evans, Johnny R. Williams, Latonya Gilliam, Porsha Williams, Chavonte Gilliam, Lakisha Gilliam, Derrick Gilliam, Rodney Gilliam, Donald Ray Gilliam, 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., Mattie Gilliam, Ira K. Carroll, Demetrius J. Gilliam, Kehiminnie S. Gilliam, Bianca S. Gilliam, 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 Peake, 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, 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,

Landowners,

and

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, and Greenville County,

Other Condemnees,

and

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 053101010200 and 0531010102101,

Unknown Claimants,..... Respondents.

AMENDED NOTICE OF APPEAL

Piedmont Natural Gas Company, Inc. ("PNG") hereby appeals from: (1) the Order of the Honorable Charles B. Simmons filed June 25, 2015 ruling in favor of landowners Richeous Smith, et al. in the above-referenced matter; and (2) the Order filed August 10, 2015 denying PNG's Motion to Alter or Amend that Judgment. PNG timely filed the Motion to Alter or Amend the June 25, 2015 ruling on July 6, 2015. A hearing was held on this Motion to Alter or Amend on July 20, 2015. The Notice of Appeal was timely served and filed within thirty (30)-days of PNG's receipt of the written notice of the Order denying its Motion to Alter or Amend the Judgment on August 12, 2015.

PNG also appeals the Order of the Honorable Charles B. Simmons granting attorneys' fees and costs to the landowners in the above-referenced matter that was filed on August 10, 2015. Written notice of the Order granting attorneys' fees and costs to the landowners was received by PNG on August 12, 2015. The Notice of Appeal was timely served and filed within thirty (30)-days of PNG's receipt of the written notice of the Order granting attorneys' fees and costs to the landowners.

On September 22, 2015, PNG received a letter from the South Carolina Court of Appeals dated September 16, 2015 requesting that PNG provide copies of the orders being appealed with unabbreviated captions and that PNG file and serve an Amended Notice of Appeal showing each of the Respondents, and the attorney representing the specific Respondents in this matter. This Amended Notice of Appeal is being timely served and filed within ten (10)-days of the date of the request.

PNG has already arranged for and received the trial transcript and the transcript for the post-judgment motions hearing from the court reporter. The transcript for the post-judgment motions hearing was received on September 1, 2015. PNG respectfully submits that the time for filing the initial brief of the appellant began to run on the date the Notice of Appeal was served.

Respectfully submitted this the 28th day of September, 2015.

Kevin Dunlap

Kevin Dunlap
S.C. Bar No. 13081
Parker Poe Adams & Bernstein LLP
100 Dunbar Street, Suite 206
Spartanburg, South Carolina 29306
(864) 591-2030
kevindunlap@parkerpoe.com

*with permission by
Anibal Blaut
Bar No. 78706*

Attorney for Appellant

Respondents:

David B. Ward
Horton Law Firm
307 Pettigru Street
Greenville, South Carolina 29601
(864) 233-4351
dward@hortonlawfirm.net

Attorney for Respondents James R. Smith, Loree Smith, Gene A. Smith, Patrick R. Smith, Reginald Lamont Smith, Eric Smith, William G. Dawkins, Alma Renee Smith Murry, Sharai Smith Brock, Rosalyn Annette Steven, Bridgette Smith Blassingame, Tara Smith, Martha Miller Smith, Calvin Lee Smith, Lenora Holley, Orangelee Sheppard, Vernon Sheppard, Kasandra Sheppard Jenkins, Karen Sheppard Spates, Gracie Terry, Kelvin F. Terry, Theodore Terry, Jr., Keith Terry, Derrick McGee, Jr., Fred Smith, Jr., Linda Evans, Thomas Evans, Latonya Gilliam, Porsha Williams, Chavonte Gilliam, Lakisha Gilliam, Derrick Gilliam, Rodney Gilliam, Michael

Evans, Joyce A. Smith, Anthony Cox, Alfred Cox, Mattie Gilliam, Warren Gilliam, Cindy Gilliam, Shakima Gilliam, Carmella Cottom, Nina Gilliam, Shaynise Alston, John Gilliam, Leunette Gilliam, Leslie Gilliam Peter, Donald E. Gilliam, Raymond T. Gilliam, Leroy Terry, Tommy Anderson, Abigail Dodd, Angela Reid, Sandra McDowell, Harold Anderson, Mary Ann Davis, Charlene Peake, Betty Jo Terry, Donald E. Terry, Deloris I. Terry, Paul A. Terry, Mark G. Terry, C. Terry Sholer, Jamie Terry, Gloria Gore, Paul Smith, Ethel Allen, Desiree Golden, Pauline Workman and Brenda Moulhem (hereinafter, the "Smith Family")

Erin Culbertson
Kehl Culbertson Andrighetti & Komfeld, LLC
114 Manly St.
Greenville, SC 29601
(864) 370-8222
erin@palmettolawfirm.com
Attorney for the Smith Family

Paul Andrew McKee, III
Hanover Title Agency, Inc.
P.O. Box 2196
Spartanburg, SC 29304-2196
pmckee@hanovertitle.com
Attorney for Respondents Reece W. Smith, Raymond Eddie Smith, Michael Smith and Odell Smith

Kelley Y. Woody, Esquire
P.O. Box 6432
Columbia, SC 29260
(803) 787-9678
kwoody@sc.rr.com
Guardian Ad Litem for Unknown Respondent Landowners

A. Lance Crick, Esquire
55 Beattie Place, Suite 700
Greenville, SC 29601
Attorney for the Respondent United States of America

Wylie W. Clarkson, Esquire
P.O. Box 287
Columbia, SC 29202
Attorney for Respondent Midland Funding, LLC

Charles N. Griffin, III, Esquire
P.O. Box 19806
Raleigh, NC 27619
Attorney for Respondent Sharonview Federal Credit Union

Mary Elizabeth (Mary Beth) Campbell, Esquire
Counsel for Litigation, South Carolina Department of Revenue
Office of General Counsel, Tax & Regulatory Services
P.O. Box 12265
Columbia, SC 29211
Attorney for Respondent South Carolina Department of Revenue

Jeffrey D. Wile, Esquire
Attorney, Greenville County
301 University Ridge, Ste. 2400
Greenville, SC 29601-3681
Attorney for Respondent County of Greenville

The Honorable Alan Wilson
South Carolina Attorney General
P.O. Box 11549
Columbia, SC 29211
Attorney for Respondent State of South Carolina

John H. Magill
State Director, South Carolina Department of Mental Health
Administration Building
2414 Bull St.
Columbia, SC 29202
State Director for Respondent South Carolina Department of Mental Health

Trace M. Dillon, Esquire
Arrow Financial Services, LLC
1130 Hurricane Shoals Rd., Suite 600
Lawrenceville, GA 30044
Statutory Agent for Respondent Arrow Financial Services, LLC

Ahmad S. Washington, Esquire
Arrow Financial Services, LLC
1211 E. Morehead St.
Charlotte, NC 28204
Statutory Agent for Respondent Arrow Financial Services, LLC

Richard L. Jackson, Esquire
Bullhead Investments, LLC
1315 Westbrook Plaza Dr., Suite 100
Winston-Salem, NC 27103
Statutory Agent for Respondent Bullhead Investments, LLC

CT Corporation System
Discover Bank
2 Office Park Court, Suite 103
Columbia, SC 29223

Registered Agent for Respondent Discover Bank

CT Corporation System
GE Commercial Finance Business Property Corporation
2 Office Park Court, Suite 103
Columbia, SC 29223

Registered Agent for Respondent GE Commercial Finance Business Property Corporation

Melissa F. Smith
142 Wilson Creek Rd.
Iva, SC 29655
Unrepresented Respondent Landowner

Jerome Smith
232 Sunnyglen Dr.
Greer, SC 29651
Unrepresented Respondent Landowner

Ettie Pearl Booker
21 Cotswold Terrace
Taylors, SC 29687
Unrepresented Respondent Landowner

Wilford Daniels
144 Sweet Ave.
Buffalo, NY 14212
Unrepresented Respondent Landowner

Terrance Leslie, Jr.
204 Herman St.
Buffalo, NY 14211
Unrepresented Respondent Landowner

Terrell Leslie, Sr.
204 Herman St.
Buffalo, NY 14211
Unrepresented Respondent Landowner

Teaira Leslie
204 Herman St.
Buffalo, NY 14211
Unrepresented Respondent Landowner

Patricia Terry
211 Eagle St., #701
Buffalo, NY 14204
Unrepresented Respondent Landowner

Sheila Terry
211 Eagle St., #701
Buffalo, NY 14204
Unrepresented Respondent Landowner

Johnny F. Cox
6420 Guildford Rd.
Rockford, IL 61107
Unrepresented Respondent Landowner

Terry Gilliam
47 Myers St.
Buffalo, NY 14211
Unrepresented Respondent Landowner

Jerry Gilliam
5 Myers St.
Buffalo, NY 14211
Unrepresented Respondent Landowner

Ira K. Carol
1348 Cochran Crossing
McDonough, GA 30252
Unrepresented Respondent Landowner

Demetrius J. Gilliam
4328 Thyme Ave.
Las Vegas, NV 89910
Unrepresented Respondent Landowner

Kehiminnie S. Gilliam
4328 Thyme Ave.
Las Vegas, NV 89910
Unrepresented Respondent Landowner

Bianca S. Gilliam
4328 Thyme Ave.
Las Vegas, NV 89910
Unrepresented Respondent Landowner

Donnette Gilliam Ortchere
444 Emslie St.
Buffalo, NY 14212
Unrepresented Respondent Landowner

Angela Gilliam
445 Emslie St.
Buffalo, NY 14212

Unrepresented Respondent Landowner

John Glavin, Sr.
21 Murray Terrace
Tonawanda, NY 14150
Unrepresented Respondent Landowner

John Glavin, Jr.
196 Moore St.
Tonawanda, NY 14150
Unrepresented Respondent Landowner

Miranda Glavin
21 Murray Terrace
Tonawanda, N.Y. 14150
Unrepresented Respondent Landowner

Jeffrey Glavin
21 Murray Terrace
Tonawanda, NY 14150
Unrepresented Respondent Landowner

Yolanda Glavin
21 Murray Terrace
Tonawanda, NY 14150
Unrepresented Respondent Landowner

James (Jimmy) Terry
105 Bailey Rd.
Greer, SC 29651
Unrepresented Respondent Landowner

Pearlie Mae Terry
P.O. Box 6942
Greenville, SC 29606
Unrepresented Respondent Landowner

Zachery Arnold
460 Durham Rd.
Greer, SC 29650
Unrepresented Respondent Other Condemnee

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

RECEIVED

SEP 28 2015

SC Court of Appeals

APPEAL FROM GREENVILLE COUNTY
Court of Common Pleas

Charles B. Simmons, Circuit Court Judge

Case No. 2012-CP-23-04064
Appellate Case No. 2015-001909

Piedmont Natural Gas Company, Inc.,Appellant,

v.

Richeous Smith, Worthy 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 Brayvell 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, Jr., Terrell Leslie, Teaira Leslie, Derrick McGee, Jr., Fred Smith, Jr., Mannell Terry, Patricia Terry, Sheila Terry, Barbara Evans, Leonard Evans, Linda Evans, Thomas Evans, Johnny R. Williams, Latonya Gilliam, Porsha Williams, Chavonte Gilliam, Lakisha Gilliam, Derrick Gilliam, Rodney Gilliam, Donald Ray Gilliam, 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., Mattie Gilliam, Ira K. Carroll, Demetrius J. Gilliam, Kehiminnie S. Gilliam, Bianca S. Gilliam, 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 Peake, 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, 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,

Landowners,

and

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, and Greenville County,

Other Condemnees,

and

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 053101010200 and 0531010102101,

Unknown Claimants,..... Respondents.

CERTIFICATE OF SERVICE

I certify that I have caused to be served the Amended Notice of Appeal on counsel of record in this action, as well as the Clerk of Greenville County Court of Common Pleas, by depositing a copy of the same in the United States Mail, postage prepaid, on September 23, 2015, addressed as follows:

The Honorable Charles B. Simmons
Greenville County Clerk of Court
305 E. North Street
Greenville, South Carolina 29601

Respondents Served:

David B. Ward
Horton Law Firm
307 Pettigru Street
Greenville, South Carolina 29601
(864) 233-4351
dward@hortonlawfirm.net
Attorney for the Smith Family

Erin Culbertson
Kehl Culbertson Andrighetti & Komfeld, LLC
114 Manly St.
Greenville, SC 29601
(864) 370-8222
erin@palmettolawfirm.com
Attorney for the Smith Family

Paul Andrew McKee, III
Hanover Title Agency, Inc.
P.O. Box 2196
Spartanburg, SC 29304-2196
pmckee@hanovertitle.com
*Attorney for Respondents Reece W. Smith, Raymond Eddie Smith,
Michael Smith and Odell Smith*

Kelley Y. Woody, Esquire
P.O. Box 6432
Columbia, SC 29260
(803) 787-9678
kwoody@sc.rr.com
Guardian Ad Litem for Unknown Respondent Landowners

A. Lance Crick, Esquire
55 Beattie Place, Suite 700
Greenville, SC 29601
Attorney for the Respondent United States of America

Wylie W. Clarkson, Esquire
P.O. Box 287
Columbia, SC 29202
Attorney for Respondent Midland Funding, LLC

Charles N. Griffin, III, Esquire
P.O. Box 19806
Raleigh, NC 27619
Attorney for Respondent Sharonview Federal Credit Union

Mary Elizabeth (Mary Beth) Campbell, Esquire
Counsel for Litigation, South Carolina Department of Revenue
Office of General Counsel, Tax & Regulatory Services
P.O. Box 12265
Columbia, SC 29211
Attorney for Respondent South Carolina Department of Revenue

Jeffrey D. Wile, Esquire
Attorney, Greenville County
301 University Ridge, Ste. 2400
Greenville, SC 29601-3681
Attorney for Respondent County of Greenville

The Honorable Alan Wilson
South Carolina Attorney General
P.O. Box 11549
Columbia, SC 29211
Attorney for Respondent State of South Carolina

John H. Magill
State Director, South Carolina Department of Mental Health
Administration Building
2414 Bull St.
Columbia, SC 29202
*State Director for Respondent South Carolina Department of
Mental Health*

Trace M. Dillon, Esquire
Arrow Financial Services, LLC
1130 Hurricane Shoals Rd., Suite 600
Lawrenceville, GA 30044
Statutory Agent for Respondent Arrow Financial Services, LLC

Ahmad S. Washington, Esquire
Arrow Financial Services, LLC
1211 E. Morehead St.
Charlotte, NC 28204
Statutory Agent for Respondent Arrow Financial Services, LLC

Richard L. Jackson, Esquire
Bullhead Investments, LLC
1315 Westbrook Plaza Dr., Suite 100
Winston-Salem, NC 27103

Statutory Agent for Respondent Bullhead Investments, LLC

CT Corporation System
Discover Bank
2 Office Park Court, Suite 103
Columbia, SC 29223
Registered Agent for Respondent Discover Bank

CT Corporation System
GE Commercial Finance Business Property Corporation
2 Office Park Court, Suite 103
Columbia, SC 29223
*Registered Agent for Respondent GE Commercial Finance
Business Property Corporation*

Melissa F. Smith
142 Wilson Creek Rd.
Iva, SC 29655
Unrepresented Respondent Landowner

Jerome Smith
232 Sunnyglen Dr.
Greer, SC 29651
Unrepresented Respondent Landowner

Ettie Pearl Booker
21 Cotswold Terrace
Taylors, SC 29687
Unrepresented Respondent Landowner

Wilford Daniels
144 Sweet Ave.
Buffalo, NY 14212
Unrepresented Respondent Landowner

Terrance Leslie, Jr.
204 Herman St.
Buffalo, NY 14211
Unrepresented Respondent Landowner

Terrell Leslie, Sr.
204 Herman St.
Buffalo, NY 14211
Unrepresented Respondent Landowner

Teaira Leslie
204 Herman St.
Buffalo, NY 14211

Unrepresented Respondent Landowner

Patricia Terry
211 Eagle St., #701
Buffalo, NY 14204

Unrepresented Respondent Landowner

Sheila Terry
211 Eagle St., #701
Buffalo, NY 14204

Unrepresented Respondent Landowner

Johnny F. Cox
6420 Guildford Rd.
Rockford, IL 61107

Unrepresented Respondent Landowner

Terry Gilliam
47 Myers St.
Buffalo, NY 14211

Unrepresented Respondent Landowner

Jerry Gilliam
5 Myers St.
Buffalo, NY 14211

Unrepresented Respondent Landowner

Ira K. Carol
1348 Cochran Crossing
McDonough, GA 30252

Unrepresented Respondent Landowner

Demetrius J. Gilliam
4328 Thyme Ave.
Las Vegas, NV 89910

Unrepresented Respondent Landowner

Kehimonnie S. Gilliam
4328 Thyme Ave.
Las Vegas, NV 89910

Unrepresented Respondent Landowner

Bianca S. Gilliam
4328 Thyme Ave.
Las Vegas, NV 89910

Unrepresented Respondent Landowner

Donnette Gilliam Ortchere

444 Emslie St.
Buffalo, NY 14212
Unrepresented Respondent Landowner

Angela Gilliam
445 Emslie St.
Buffalo, NY 14212
Unrepresented Respondent Landowner

John Glavin, Sr.
21 Murray Terrace
Tonawanda, NY 14150
Unrepresented Respondent Landowner

John Glavin, Jr.
196 Moore St.
Tonawanda, NY 14150
Unrepresented Respondent Landowner

Miranda Glavin
21 Murray Terrace
Tonawanda, N.Y. 14150
Unrepresented Respondent Landowner

Jeffrey Glavin
21 Murray Terrace
Tonawanda, NY 14150
Unrepresented Respondent Landowner

Yolanda Glavin
21 Murray Terrace
Tonawanda, NY 14150
Unrepresented Respondent Landowner

James (Jimmy) Terry
105 Bailey Rd.
Greer, SC 29651
Unrepresented Respondent Landowner

Pearlie Mae Terry
P.O. Box 6942
Greenville, SC 29606
Unrepresented Respondent Landowner

Zachery Arnold
460 Durham Rd.
Greer, SC 29650
Unrepresented Respondent Other Condemnee

Other Persons Served:

Eric Rogers
10 Fort Dr.
Simpsonville, SC 29681
Non-Respondent Landowner

Tonya S. Turner
3494 Pinegate Trail
Snellville, GA 30039
Non-Respondent Landowner

LaTasha D. Terry
90 Preakness Dr.
Alpharetta, GA 30022
Non-Respondent Landowner

This the 28th day of September, 2015.



Parker Poe Adams & Bernstein LLP



Kevin A. Dunlap
Partner
Telephone: 864.253.6105
Direct Fax: 864.591.2050
kevindunlap@parkerpoe.com

Charleston, SC
Charlotte, NC
Columbia, SC
Raleigh, NC
Spartanburg, SC

September 28, 2015

RECEIVED

SEP 28 2015

SC Court of Appeals

Via Hand Delivery and E-mail (dgreene@sccourts.org)

Diane Greene
South Carolina Court of Appeals, Clerk's Office
Post Office Box 11629
Columbia, South Carolina 29211

Re: ***Piedmont Natural Gas Co. v. Richeous Smith, et al.***
Appellate Case No. 2015-001909
Amended Notice of Appeal

Dear Ms. Greene:

In response to the South Carolina Court of Appeals' letter request dated September 16, 2015, the Appellant Piedmont Natural Gas Company ("PNG") is hereby filing an Amended Notice of Appeal showing the respondents and, where applicable, the attorney representing the respondents. PNG is informed and believes that the following Respondents listed on the trial court case caption as party-landowners may be deceased:

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, Adolf Smith, Janie Sue Smith, Samuel Paul Smith, Ruby Smith Mansell, Buford Mansell, Ethel Mae Smith, Wilson Smith, Christine Smith Dawkins, Robert Lee Smith, Edith Smith Foster, George Waymon Foster, Waymon Odell Smith, Dorothy Smith Pearson, Gary Pearson, Jaygo Terry, Ida Terry, Mack Terry, Zone Terry, Leola Terry Smith, James Smith, J.P. Terry, David Brayvell Terry, Tecora O. Terry Mason, Odell Mason, Dorothy Terry Sheppard, Theodore Terry, Sr., Leola Terry Daniels, Mannell Terry, Barbara Evans, Leonard Evans, Johnny R. Williams, Donald Ray Gilliam, Connie Evans, Iola Terry Cox, William Henry Cox, J. Henry Cox, Charlette J. Cox, Charles J. Cox, Michael Cox, Supearl Terry Gilliam a/k/a Supearl Terry Gilliam Miranda, Eugene Gilliam, Eugene Gilliam, Jr., Melvin Gilliam, Rodney Gilliam, Vermell Gilliam Phillips, Donald Gilliam, Sr., Juan Miranda, Carmen Miranda a/k/a Carmen Miranda Glavin, Ezell Terry, Magaline Terry, Kenneth Terry, Winnie L. Terry Anderson, Furman Anderson, Albert Anderson, Paul Terry, James O.C. Smith, and Pauline Smith

PNG is also informed and believes that the known living heirs of the deceased party-landowners are also listed as Respondents and, as Respondents, were given service of the initial Notice of Appeal and this Amended Notice of Appeal. In addition, unknown claimants

PPAB 2937918v1

Diane Greene
September 28, 2015
Page 2

including, but not limited to, unknown heirs, successors, devisees, distributees, Administrators, Executors and Personal Representatives of the named party-landowners, are named as Respondents and are represented by Kelley Y. Woody as Guardian *ad litem*.

Finally, PNG is informed and believes that the following three persons are non-respondent landowners: Eric Rogers, Tonya S. Turner and LaTasha D. Terry. These three persons are believed to be the living heirs of Respondent Kenneth Terry (who PNG is informed and believes died after the commencement of the underlying condemnation action) who have not been added as parties to the action. These three non-respondent landowners were provided service of both the Notice of Appeal and the Amended Notice of Appeal by United States mail.

Sincerely,

Kevin Dunlap with permission
by Amber Bente
Kevin A. Dunlap
S.C. Bar No. 13081

Attorney for Piedmont Natural Gas Co.

KAD:fap

Enclosure

cc: David B. Ward
Erin Culbertson
Paul Andrew McKee, III
Kelley Y. Woody, Esquire
A. Lance Crick, Esquire
Wylie W. Clarkson, Esquire
Charles N. Griffin, III, Esquire
Mary Elizabeth (Mary Beth) Campbell, Esquire
Jeffrey D. Wile, Esquire
Alan Wilson, South Carolina Attorney General
John H. Magill, State Director of the South Carolina Department of Mental Health
Trace M. Dillon, Esquire
Ahmad S. Washington, Esquire
Richard L. Jackson, Esquire
CT Corporation System, Registered Agent for Discover Bank and GE Commercial
Finance Business Property
Melissa F. Smith
Jerome Smith
Ettie Pearl Booker
Wilford Daniels
Terrance Leslie, Jr.
Terrell Leslie, Sr.
Teaira Leslie
Patricia Terry
Sheila Terry
Johnny F. Cox

Diane Greene
September 28, 2015
Page 3

Terry Gilliam
Jerry Gilliam
Ira K. Carol
Demetrius J. Gilliam
Kehimonnie S. Gilliam
Bianca S. Gilliam
Donnette Gilliam Ortchere
Angela Gilliam
John Glavin, Sr.
John Glavin, Jr.
Miranda Glavin
Jeffrey Glavin
Yolanda Glavin
James (Jimmy) Terry
Pearlie Mae Terry
Zachery Arnold
Eric Rogers
Tonya S. Turner
LaTasha D. Terry