

77630

THE STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

RECEIVED

OCT 20 2015

SC Court of Appeals

APPEAL FROM BEAUFORT COUNTY  
Court Of Common Pleas

The Honorable Marvin H. Dukes, Master-in-Equity

Case No.: 2011-CP-07-128

First Citizens Bank and Trust Company, Inc. ....Respondent-Appellant,

vs.

Chris Lindgren.....Appellant-Respondent.

NOTICE OF CROSS APPEAL

First Citizens Bank and Trust Company, Inc. hereby gives notice that it cross-appeals the Order of the Honorable Marvin H. Dukes entered June 11, 2015 in the above-referenced matter. Respondent-Appellant received a notice of appeal from Appellant-Respondent on October 15, 2015.

October 20, 2015



Joey R. Floyd  
Robert C. Osborne III  
Bruner, Powell, Wall & Mullins, LLC  
P.O. Box 61110  
Columbia, South Carolina 29260  
(803) 252-7693

*Attorney for Respondent-Appellant*

Other Counsel of Record:

Keating L. Simons, III, Esquire  
Simons & Dean  
147 Wappoo Creek Drive, Suite 604  
Charleston, SC 29412  
(843) 762-9132  
*Attorney for Appellants-Respondents*

THE STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

APPEAL FROM BEAUFORT COUNTY  
Court Of Common Pleas

RECEIVED

OCT 20 2015

The Honorable Marvin H. Dukes, Master-in-Equity

SC Court of Appeals

Case No.: 2011-CP-07-128

First Citizens Bank and Trust Company, Inc. ....Respondent-Appellant,

vs.

Chris Lindgren.....Appellant-Respondent.

CERTIFICATE OF SERVICE

I, Annie Rich, with the law firm of Bruner, Powell, Wall & Mullins, LLC, Attorneys for the Respondent-Appellant, do hereby certify that on this 20<sup>th</sup> day of October, 2015, I served Respondent-Appellant's **Notice of Cross Appeal** upon counsel for the Appellant-Respondent by depositing a copy of same in the U.S. Mail, first class, postage prepaid, addressed as follows:

**VIA U.S. Mail**  
Keating L. Simons, III, Esquire  
Simons & Dean  
147 Wappoo Creek Drive, Suite 604  
Charleston, SC 29412

Annie Rich

Columbia, South Carolina  
October 20, 2015

# BRUNER, POWELL, WALL & MULLINS, LLC

ATTORNEYS AND COUNSELORS AT LAW

1735 ST. JULIAN PLACE, SUITE 200

POST OFFICE BOX 61110

COLUMBIA, SOUTH CAROLINA 29260-1110

TELEPHONE 803-252-7693

FAX 803-254-5719

[WWW.BRUNERPOWELL.COM](http://WWW.BRUNERPOWELL.COM)

JAMES L. BRUNER, P.A.\*

WARREN C. POWELL, JR., P.A.\*\*

HENRY P. WALL

E. WADE MULLINS III, P.A.

BRIAN P. ROBINSON, P.A.

WESLEY D. PEEL, P.A.

JOEY R. FLOYD, P.A.

BENJAMIN C. BRUNER, P.A.

ANN F. ALLISON

CAITLIN C. HEYWARD

ROBERT C. OSBORNE III

\* Of Counsel

\*\* Also Admitted in District of Columbia

AUTHOR'S E-MAIL: [JFLOYD@BRUNERPOWELL.COM](mailto:JFLOYD@BRUNERPOWELL.COM)

October 20, 2015

**Via Hand Delivery**

The Honorable Jenny Abbott Kitchings

Clerk of Court

The South Carolina Court of Appeals

P.O. 11629

Columbia, SC 29211

**RECEIVED**

OCT 20 2015

SC Court of Appeals

**Re: First Citizens Bank and Trust Company, Inc. v. Blue Ox, LLC, and J. Chris Lindgren**  
**Civil Action No.: 2011-CP-07-128**

Dear Ms. Kitchings:

Enclosed herewith you will find an original and one copy of Respondent-Appellant, First Citizens Bank and Trust Company's *Notice of Cross Appeal* in the above-referenced matter. Copies of the Order being appealed are also enclosed. In addition, you will find a certificate of service evidencing service of same on Counsel for the Appellant-Respondent. I have also included a check in the amount of \$100 for the filing fee. I kindly ask that you file the original in accordance with your procedures and that the "filed" copy be returned to me by mail in the envelope, postage prepaid, that I have enclosed herein. Thank you for your assistance in this matter.

With my kindest regards, I am,

Sincerely,



Joey R. Floyd

jrf:rc

Enclosures

cc: Keating L. Simons III, Esquire (Via Email and U.S. Mail w/copy of Enclosure)

BRUNER, POWELL, WALL & MULLINS, LLC  
*A Professional Limited Liability Company*  
ATTORNEYS AND COUNSELORS AT LAW  
1735 ST. JULIAN PLACE, SUITE 200  
POST OFFICE BOX 61110  
COLUMBIA, SOUTH CAROLINA 29260-1110

**RECEIVED**

OCT 20 2015

SC Court of Appeals

**RECEIVED**

OCT 20 2015

SC Court of Appeals

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