

78203

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

APPEAL FROM FLORENCE COUNTY  
Court of Common Pleas  
The Honorable Michael G. Nettles, Circuit Court Judge

Case No. 2014-CP-43-2383  
Case No. 2014-CP-21-2396

Clinton Junior Humphries, Individually and  
as Personal Representative of the Estate of  
Becky Humphries.....Respondents,

v.

Santee Hematology and Oncology, Inc., Billy  
W. Clowney, M.D., Sexton Dental Clinic, Inc.,  
John R. Clark, Jr., DMD, Robert W. Scott,  
DDS, Clark Dental Associates, and Dr. John R.  
Clark, Sr.....Appellants.

**NOTICE OF APPEAL**

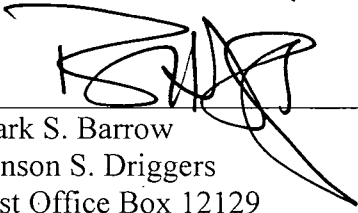
Santee Hematology and Oncology, Inc., Billy W. Clowney, M.D., Sexton Dental Clinic, Inc., John R. Clark, Jr., DMD, Robert W. Scott, DDS, Clark Dental Associates, and Dr. John R. Clark, Sr. (collectively "Appellants") appeal the August 20, 2015 Order of the Honorable Michael G. Nettles granting Respondents' Motion for Joinder. Appellants received written notice of the Order on August 25, 2015, and a Motion to Alter or Amend the Order was filed September 10, 2015. Appellants received written notice of the court's Amended Order denying Appellants' Motions to Alter or Amend on November 30, 2015. The Order impacts a substantial right of the Appellants and is immediately appealable pursuant to S.C. Code Ann. § 14-3-330(3). A copy of the Order is attached.

December 18, 2015

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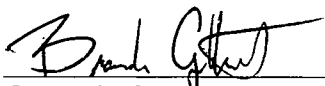
SC Court of Appeals



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Mark S. Barrow  
Benson S. Driggers  
Post Office Box 12129  
Columbia SC 29211  
(803) 256-2233  
Attorneys for Appellants Santee Hematology and  
Oncology, Inc., and Billy W. Clowney, M.D.

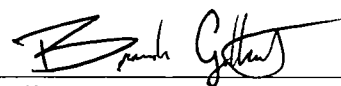
For



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G. Wade Cooper  
Buyck, Sanders & Simmons, LLC  
P.O. Box 2424  
Mt. Pleasant, SC 29465  
(843) 377-1400  
Attorney for Appellant Robert W. Scott, DDS


For



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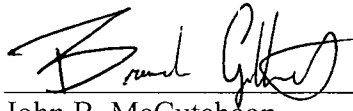
Julius W. McKay, II  
Kelli Sullivan  
McKay, Cauthen, Settana, & Stublely, P.A.  
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Columbia, SC 29202  
(803) 256-4645  
Attorneys for Appellant John R. Clark, Jr., DMD

For



---

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Attorneys for Appellant Sexton Dental Clinic, Inc.



For

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Ashley Gwin

Thompson & Henry, P.A.

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(843) 248-5741

Attorneys for Appellant Clark Dental Associates  
and Dr. John R. Clark, Sr.

Other Counsel of Record:

C. Carter Elliott, Jr., Esquire

Elliott & Phelan, LLC

Post Office Box 1405

Georgetown, SC 29442

Attorney for Plaintiff Becky Humphries

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In The Court of Appeals

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DDS, Clark Dental Associates, and Dr. John R.  
Clark, Sr.....Appellants.

**PROOF OF SERVICE**

I certify that I have served the Notice of Appeal on Clinton Junior Humphries, Individually and as Personal Representative of the Estate of Becky Humphries, by depositing a copy of it in the United States Mail, postage prepaid, on December 9, 2015, addressed to their attorney of record, C. Carter Elliott, Jr., Post Office Box 1405, Georgetown, SC 29442.

December 18, 2015



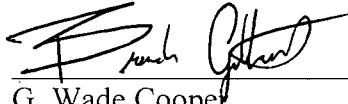
Mark S. Barrow  
Benson S. Driggers  
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(803) 256-2233  
Attorneys for Appellants Santee Hematology and  
Oncology, Inc., and Billy W. Clowney, M.D.

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**SC Court of Appeals**

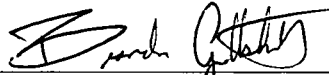
For



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G. Wade Cooper  
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P.O. Box 2424  
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(843) 377-1400  
Attorney for Appellant Robert W. Scott, DDS

For



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Kelli Sullivan  
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Attorneys for Appellant John R. Clark, Jr., DMD

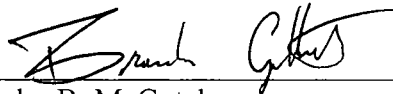
For



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Post Office Drawer 1931  
Florence, SC 29503  
(843) 669-8787  
Attorneys for Appellant Sexton Dental Clinic, Inc.

For



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John B. McCutcheon  
Ashley Gwin  
Thompson & Henry, P.A.  
Post Office Box 1740  
Conway, South Carolina 29526  
(843) 248-5741  
Attorneys for Appellant Clark Dental Associates  
and Dr. John R. Clark, Sr.

Other Counsel of Record:

C. Carter Elliott, Jr., Esquire  
Elliott & Phelan, LLC  
Post Office Box 1405  
Georgetown, SC 29442  
Attorney for Plaintiff Becky Humphries

9

**Brandon R. Gottschall**

---

**From:** Wade C <GWC@buyckfirm.com>  
**Sent:** Friday, December 18, 2015 10:09 AM  
**To:** Brandon R. Gottschall; Benson Driggers; Mark S. Barrow; 'jmckay@mckayfirm.com'; 'jba@aikenbridges.com'; 'JMcCutcheon@thompsonlaw.com'; 'agwin@thompsonlaw.com'  
**Subject:** RE: Humphries Notice of Appeal of Joinder Issue

You can sign my name as well, however, please change our address as below.

Thanks,

G. Wade Cooper, Esq.  
Buyck, Sanders & Simmons, LLC  
P.O. Box 2424  
Mt. Pleasant, SC 29465  
Phone: (843) 377-1400  
Fax: (843) 284-8105

**RECEIVED**  
DEC 18 2015  
SC Court of Appeals

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**From:** Brandon R. Gottschall [<mailto:BRG@swblaw.com>]  
**Sent:** Thursday, December 17, 2015 2:00 PM  
**To:** Benson Driggers; Mark S. Barrow; Wade C; 'jmckay@mckayfirm.com'; 'jba@aikenbridges.com'; 'JMcCutcheon@thompsonlaw.com'; 'agwin@thompsonlaw.com'  
**Subject:** Humphries Notice of Appeal of Joinder Issue

All:

Enclosed please find the Notice of Appeal and Proof of Service. With your consent, I can sign for you, or if you prefer, please sign and return. We hope to file by the end of the week.

Let me know if you have any questions.

Thanks.

- Brandon

**S·W·B**

Brandon Gottschall | Associate  
Sweeny, Wingate & Barrow, P.A.

1515 Lady St. (29201)  
PO Box 12129  
Columbia, SC 29211

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## Brandon R. Gottschall

---

**From:** Jay McKay <jmckay@mckayfirm.com>  
**Sent:** Friday, December 18, 2015 7:20 AM  
**To:** Brandon R. Gottschall  
**Cc:** Benson Driggers; Mark S. Barrow; gwc@buyckfirm.com; jba@aikenbridges.com; JMcCutcheon@thompsonlaw.com; agwin@thompsonlaw.com; Kelli Sullivan; Allison Driggers  
**Subject:** Re: Humphries Notice of Appeal of Joinder Issue

You can sign my name but also add Kelli Sullivan to the signature like and put our address as PO Box 7217, Columbia, SC 29202.

Julius W. McKay, II  
Sent from my iPad

On Dec 17, 2015, at 1:59 PM, Brandon R. Gottschall <[BRG@swblaw.com](mailto:BRG@swblaw.com)> wrote:

All:

Enclosed please find the Notice of Appeal and Proof of Service. With your consent, I can sign for you, or if you prefer, please sign and return. We hope to file by the end of the week.

Let me know if you have any questions.

Thanks.

- Brandon

<image001.gif>

Brandon Gottschall | Associate  
Sweeny, Wingate & Barrow, P.A.

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Columbia, SC 29211

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<663323.docx>

## Brandon R. Gottschall

---

**From:** Jack McCutcheon <JMcCutcheon@thompsonlaw.com>  
**Sent:** Thursday, December 17, 2015 3:05 PM  
**To:** Brandon R. Gottschall; Benson Driggers; Mark S. Barrow; 'gwc@buyckfirm.com'; 'jmckay@mckayfirm.com'; 'jba@aikenbridges.com'; Ashley Gwin  
**Subject:** RE: Humphries Notice of Appeal of Joinder Issue

You have permission to sign my name. Thanks

---

**From:** Brandon R. Gottschall [<mailto:BRG@swblaw.com>]  
**Sent:** Thursday, December 17, 2015 2:00 PM  
**To:** Benson Driggers <[BHD@swblaw.com](mailto:BHD@swblaw.com)>; Mark S. Barrow <[MSB@swblaw.com](mailto:MSB@swblaw.com)>; 'gwc@buyckfirm.com' <[gwc@buyckfirm.com](mailto:gwc@buyckfirm.com)>; 'jmckay@mckayfirm.com' <[jmckay@mckayfirm.com](mailto:jmckay@mckayfirm.com)>; 'jba@aikenbridges.com' <[jba@aikenbridges.com](mailto:jba@aikenbridges.com)>; Jack McCutcheon <[JMcCutcheon@thompsonlaw.com](mailto:JMcCutcheon@thompsonlaw.com)>; Ashley Gwin <[AGwin@thompsonlaw.com](mailto:AGwin@thompsonlaw.com)>  
**Subject:** Humphries Notice of Appeal of Joinder Issue

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Thanks.

- Brandon

**S·W·B**

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## Brandon R. Gottschall

---

**From:** Boone Aiken <jba@aikenbridges.com>  
**Sent:** Friday, December 18, 2015 10:31 AM  
**To:** Brandon R. Gottschall  
**Cc:** Benson Driggers; Mark S. Barrow; gwc@buyckfirm.com; jmckay@mckayfirm.com; JMcCutcheon@thompsonlaw.com; agwin@thompsonlaw.com  
**Subject:** Re: Humphries Notice of Appeal of Joinder Issue

Yes re permission to sign for me. Thanks, Boone

Sent from my iPhone

On Dec 17, 2015, at 1:59 PM, Brandon R. Gottschall <[BRG@swblaw.com](mailto:BRG@swblaw.com)> wrote:

All:

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Thanks.

- Brandon

<image001.gif>

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Columbia, SC 29211 [Web](#) | [Email](#)

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SWEENY WINGATE & BARROW P.A.  
December 18, 2015

Reply to: Main Office

Brandon R. Gottschall  
(803) 256-2233 x7132  
brg@swblaw.com

**VIA HAND DELIVERY**

The Honorable Jenny Abbott Kitchings  
South Carolina Court of Appeals  
1015 Sumter Street  
Columbia, South Carolina 29201

RE: Humphries v. Santee Hematology and Oncology, Inc. and Billy W. Clowney,  
M.D.  
Civil Action No.: 2014-CP-43-2383  
Our File: 2582-9037

Dear Ms. Kitchings:

Enclosed for filing please find the original and two copies of Appellant's Notice of Appeal, the Proof of Service on Respondent and a filing fee check in the amount of \$100.00. This firm appeared in the trial court on behalf of Appellants Santee Hematology & Oncology, Inc. and Billy W. Clowney, M.D.

I would appreciate your filing the original and returning the clocked copies to me via our courier.

Should you have any questions or concerns, please do not hesitate to give me a call.

Yours truly,

SWEENY, WINGATE & BARROW, P.A.

Brandon R. Gottschall

BRG/mha  
Enclosures

cc: All counsel of record

**RECEIVED**

DEC 18 2015

SC Court of Appeals