

THE STATE OF SOUTH CAROLINA
COURT OF APPEALS

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DEC 14 2015

SC Court of Appeals

APPEAL FROM CHARLESTON COUNTY

COURT OF COMMON PLEAS

HONORABLE R. MARKLEY DENNIS, JR.

Case No. 2013-CP-10-7203

Appeal Case No. 2014-001907

Nationwide Property & Casualty

Insurance Company, Plaintiff/Appellant

V.

Gary McCombs and Ragan McCombs Albert,

Defendants/Respondents

SECOND SUPPLEMENTAL RECORD ON APPEAL

TRACE DILLON
SC Bar No. 16857
Attorney for Appellant
THE DILLON LAW FIRM PC
2346 Wisteria Drive
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(770) 513-6577 (Facsimile)
Trace@dillonlawfirm.com

Andrew Halio, Esq.
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PO Box 747
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843/577-5200
Attorney for Respondent
Gary McCombs

Helen F. Hiser
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843-476-2900
Attorney for Respondent
Ragan McCombs Albert

Robert R. Sansbury
McAngus, Goudlock & Courie
LLC
735 Johnnie Dodds Blvd.
Suite 200
Mount Pleasant SC 29464
843-576-2900
Attorneys for Respondent
Ragan McCombs Albert

Index to Second Supplemental Record on Appeal

I. Orders

II. Pleadings

1. Gary McCombs Motion for Summary [Pages S1-S2]
2. Ragan McCombs Albert Motion for Summary Judgment
[pages S3-S6].

III. Certificate

Appellant certifies that the Designation does not contain a matter irrelevant to the appeal.

Respectfully Submitted this 11 Day of April, 2015, by:

BY: *TD*
TRACE DILLON
Bar No. 16857
Attorney for Appellant
THE DILLON LAW FIRM PC
2346 Wisteria Drive
Suite 220
Snellville, GA 30043
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STATE OF SOUTH CAROLINA)
)
COUNTY OF CHARLESTON)

IN THE COURT OF COMMON PLEAS
FOR THE NINTH JUDICIAL CIRCUIT
CASE NO: 2013-CP-10-7203

Nationwide Property & Casualty)
Insurance Company,)

Plaintiff,)

vs.)

MOTION FOR SUMMARY JUDGMENT

Gary McCombs and Ragan)
McCombs Albert,)

Defendants.)

FILED
2014 JUL 14 AM 11:32
JULIE J. ARYSTROMG
CLERK OF COURT

HALIO & HALIO, CHARLESTON, SOUTH CAROLINA

Pursuant to Rule 56, SCRCP, the Defendant, Gary McCombs, moves the Court for an Order granting summary judgment in his favor on the ground that there is no genuine issue of material fact, and he is entitled to judgment as a matter of law. Specifically, there is no evidence of any negligence on his part that caused or contributed to the damages claimed by the Plaintiff in this case, nor are there any witnesses listed by the Plaintiff who could so testify. This motion is supported by the pleadings and discovery, including the affidavit of Gary McCombs attached hereto and filed contemporaneously herewith.

HALIO AND HALIO
Attorneys for Gary McCombs

Andrew S. Halio
ANDREW S. HALIO
13 North Adgers Wharf Box 747
Charleston, SC 29402-0747
(843) 577-5200

July 14, 2014
Charleston, South Carolina

2013-CP10-2203

AFFIRMATION

I affirm that consultation with opposing counsel is not necessary prior to the filing of this motion.

Andrew S. Halio
ANDREW S. HALIO

CERTIFICATION

This is to certify that the undersigned attorneys did this date serve the *Motion for Summary Judgment* upon the attorneys below listed by mailing a copy of the same to their address, postage prepaid on July 14, 2014.

Trace Dillon
1130 Hurricane Shoals Rd
Suite 600
Lawrenceville, GA 30043

Robert R. Sansbury, III
735 Johnnie Dodds Blvd., Suite 200
Mt. Pleasant, SC 29465

BY _____
JULIE J. ARMSTRONG
CLERK OF COURT
2014 JUL 14 AM 11:32

FILED

Andrew S. Halio
ANDREW S. HALIO

HALIO & HALIO, CHARLESTON, SOUTH CAROLINA

STATE OF SOUTH CAROLINA

COUNTY OF CHARLESTON

Nationwide Property & Casualty Insurance Company

Plaintiff(s)

vs.

Gary McCombs & Ragan McCombs Albert

Defendant(s)

IN THE COURT OF COMMON PLEAS

MOTION AND ORDER INFORMATION FORM AND COVER SHEET

C/A No: 2013-CP-10-7203

Plaintiff's Attorney:

Trace M. Dillon, Esquire Bar No.
Address:
1130 Hurricane Shoals Road
Suite 600
Lawrenceville, Georgia 30043
phone: (770) 513-6400 fax: (770) 513-6577
e-mail: trace@dillonlawfirm.com other:

Defendant's Attorney:

Robert R. Sansbury, III Bar No. 77384 Address: McAngus,
Goudelock & Courie, LLC
Post Office Box 650007
735 Johnnie Dodds Blvd., Suite 200 (29464)
Mt. Pleasant, South Carolina 29465
(843) 576-2900
Direct number: (843) 576-2919 Fax: (843) 534-0605
e-mail: robert.sansbury@mgclaw.com other:

- MOTION HEARING REQUESTED (attach written motion and complete SECTIONS I and III)
FORM MOTION, NO HEARING REQUESTED (complete SECTIONS II and III)
PROPOSED ORDER/CONSENT ORDER (complete SECTIONS II and III)

SECTION I: Hearing Information

Nature of Motion: Motion for Summary Judgment

Estimated Time Needed: 15 minutes Court Reporter Needed: YES / NO

SECTION II: Motion/Order Type

- Written motion attached
Form Motion/Order

I hereby move for relief or action by the court as set forth in the attached proposed order.

Signature of Attorney for Plaintiff / Defendant

Date submitted 7/11/14

SECTION III: Motion Fee

- PAID - AMOUNT: \$25.00
EXEMPT: Rule to Show Cause in Child or Spousal Support
Domestic Abuse or Abuse and Neglect
Indigent Status State Agency v. Indigent Party
Sexually Violent Predator Act Post-Conviction Relief
Motion for Stay in Bankruptcy
Motion for Publication Motion for Execution (Rule 69, SCRPC)
Proposed order submitted at request of the court; or,
reduced to writing from motion made in open court per judge's instructions
Name of Court Reporter:
Other:

JUDGE'S SECTION

- Motion Fee to be paid upon filing of the attached order.
Other:

JUDGE

CODE: Date:

CLERK'S VERIFICATION

Date Filed:

Collected by:

- MOTION FEE COLLECTED:
CONTESTED - AMOUNT DUE:

STATE OF SOUTH CAROLINA)

COUNTY OF CHARLESTON)

IN THE COURT OF COMMON PLEAS

NATIONWIDE PROPERTY &)
CASUALTY INSURANCE COMPANY,)

Civil Action No. 2013-CP-10-7203

Plaintiff,)

vs.)

DEFENDANT RAGAN ALBERT
MOTION FOR SUMMARY
JUDGMENT

GARY MCCOMBS & RAGAN)
MCCOMBS ALBERT,)

Defendants.)

FILED
2014 JUL 15 AM 11:58
J. ARTHUR STROBE
CLERK OF COURT

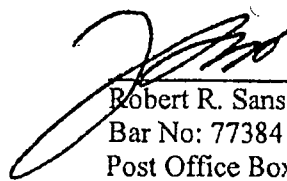
TO: PLAINTIFF AND ATTORNEY FOR PLAINTIFF:

PLEASE TAKE NOTICE that within ten (10) days, or as soon after as counsel may be heard, The Defendant, Ragan McCombs Albert, moves the Court for an Order pursuant to Rule 56 of the *South Carolina Rules of Civil Procedure* granting summary judgment as to all causes of action in the above-referenced case on the grounds that there is no genuine issue of material fact and that the Defendants are entitled to judgment as a matter of law.

This motion will be based on the South Carolina Rules of Civil Procedure, common and statutory law of South Carolina, affidavits, depositions and any other evidence which may be admissible by the Court.

[SIGNATURE ON NEXT PAGE]

McANGUS GOUDELICK & COURIE, L.L.C.



Robert R. Sansbury, III
Bar No: 77384
Post Office Box 650007
735 Johnnie Dodds Blvd, Suite 200 (29464)
Mt. Pleasant, South Carolina 29465
(843) 576-2900

ATTORNEYS FOR DEFENDANT, RAGAN
MCCOMBS ALBERT

July 16, 2014

STATE OF SOUTH CAROLINA)
COUNTY OF CHARLESTON)

IN THE COURT OF COMMON PLEAS

NATIONWIDE PROPERTY &)
CASUALTY INSURANCE COMPANY,)

Civil Action No. 2013-CP-10-7203

Plaintiff,)

Certificate of Service

vs.)

GARY MCCOMBS & RAGAN)
MCCOMBS ALBERT,)


Defendants.)

FILED
2014 JUL 15 AM 11:58
JULIE J. ARMSTRONG
CLERK OF COURT
BY _____

I hereby certify that I have this 14th day of July, 2014 served a copy of Defendant, Ragan McCombs Albert's Motion for Summary Judgment by mailing copies of same, electronically and/or postage prepaid, in the United States mail, with sufficient postage affixed as follows:

Natalie Powers, Esq.
1130 Hurricane Shoals Road
Suite 600
Lawrenceville, Georgia 30043
ATTORNEY FOR THE PLAINTIFF

Andrew S. Halio, Esquire
Halio & Halio
Post Office Box 747
Charleston, South Carolina 29402
ATTORNEY FOR DEFENDANT GARY MCCOMBS



Sharon E. Strubel
Legal Assistant to Robert R. Sansbury, III

THE STATE OF SOUTH CAROLINA

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HONORABLE R. MARKLEY DENNIS, JR.

Case No. 2013-CP-10-7203

Appeal Case No. 2014-001907

Nationwide Property & Casualty

Insurance Company, Plaintiff/Appellant

V.

Gary McCombs, Ragan McCombs and Robert G Albertt,

Defendants/Respondents

Certificate of Service

This is to certify that I have this day served a copy of the Second Supplemental Record on Appeal, Appendix and Certification of Counsel by U.S. Mail, sufficient postage prepaid and addressed as follows:

Andrew Halio, Esq.

Law Office of Halio & Halio

PO Box 747

CHARLESTON, SC 29402


843/577-5200

Attorney for Respondent Gary McCombs

Helen F. Hiser
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843-476-2900
Attorney for Respondent Ragan McCombs Albert

Robert R. Sansbury
McAngus, Goudlock & Courie LLC
735 Johnnie Dodds Blvd.
Suite 200
Mount Pleasant SC 29464
843-576-2900
Attorneys for Respondent Ragan McCombs Albert

Dated this 11 day of April, 2015.

BY: 
TRACE DILLON
Bar No. 16857
Attorney for Appellant
THE DILLON LAW FIRM PC
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(770) 513-6577 (Facsimile)

Trace Dillon, Esq.
Admitted to GA, SC & TN
Bars

THE DILLON LAW FIRM, PC
ATTORNEYS AT LAW

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May 5, 2015

VIA FIRST CLASS MAIL

Clerk of Court of Appeals
1220 Senate Street
Columbia SC 29201

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SC Court of Appeals


RE: NATIONWIDE PROPERTY & CASUALTY INSURANCE COMPANY
VS. GARY MCCOMBS
RAGAN MCCOMBS ALBERT
Robert G. Albert
Our File No.: 13001448
Appeal Case Number: 2014-001907

Dear Clerk:

Please find documents for filing

Should you have any questions, please feel free to call.

Sincerely yours,
THE DILLON LAW FIRM PC


TRACE DILLON

cc: Andrew Steven Halio
Robert Rhett Sansbury, III
Helen Faith Hiser



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DEC 14 2015

ORIGIN ID:SSIA (770) 513-6400
CHRISTY DILLON
THE DILLON LAW FIRM, PC
2346 WISTERIA DRIVE
SUITE 220
SNELLVILLE, GA 30078
UNITED STATES US

SHIP DATE: 11DEC15
ACTWGT: 0.50 LB.
CAD: 27352501NE10070
BILL SENDER

SC Court of Appeals

TO CLERK OF COURT OF APPEALS

1220 SENATE STREET

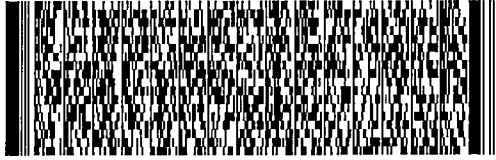
COLUMBIA SC 29201

(803) 734-1890
INV.
PO:

REF:

DEPT:

530.11/130801DO



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Express



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MON - 14 DEC 3:00P

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