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STATE OF SOUTH CAROLINA
In the Court of Appeals

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APR 22 2016
SC Court of Appeals

APPEAL FROM GREENVILLE COUNTY
J. Cordell Maddox, Jr., Circuit Court Judge

Appellate Case No. 2015-000593

Ronald J. Ferguson

Appellant

vs.

Millcreek, LP

Respondent

MOTION TO DIRECT APPELLANT TO FILE A PROPER, COMPLETE RECORD ON
APPEAL AND ALLOW RESPONDENTS TO FILE THEIR FINAL BRIEF AFTER A PROPER,
COMPLETE RECORD ON APPEAL IS FILED

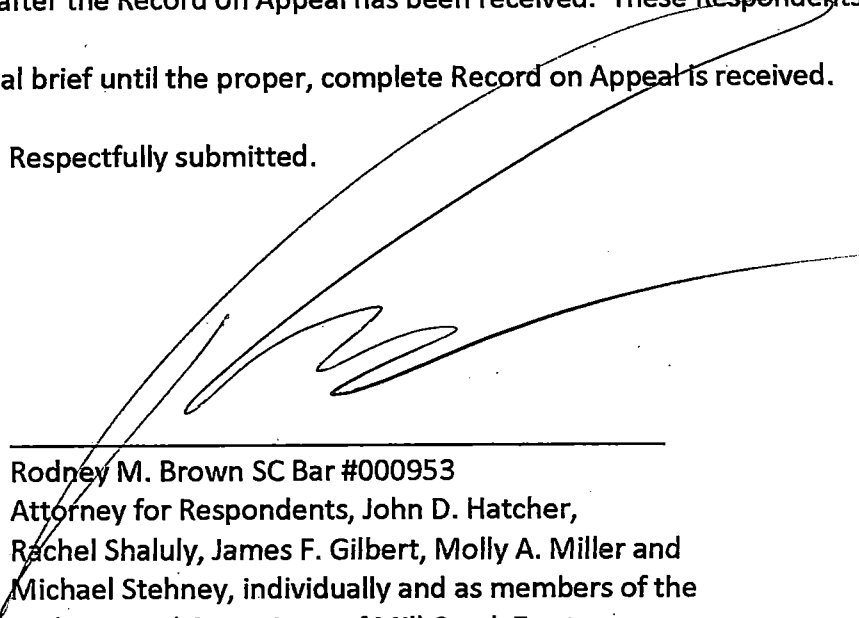
The Respondents, John D. Hatcher, Rachel Shaluly, James F. Gilbert, Molly A. Miller and Michael Stehney, individually and as members of the Architectural Committee of Mill Creek Estates, come before the Court and request an Order directing the Appellant to file an Amended Record on Appeal and to serve a proper Record on Appeal on these Respondents.

These Respondents never received a bound copy of a Record on Appeal but only loose pages purporting to be the Record on Appeal. What these Respondents received did not include two items that were listed on the Respondents' Designation of Matters to be Included in the Record on Appeal. That would be the Complaint in Hatcher, et al. vs. Ronald J. Ferguson, Ronald E. Ferguson and Susan M. Ferguson being case number 2013-CP-23-01810 and the Court

Order dated February 12, 2015. These were excluded from the Record on Appeal. These Respondents notified the Appellant of the missing documents but has received no response.

Accordingly, the Respondents, John D. Hatcher, Rachel Shaluly, James F. Gilbert, Molly A. Miller and Michael Stehney, individually and as members of the Architectural Committee of Mill Creek Estates request the Court to require the Appellant to file a proper, complete Record on Appeal and serve it on these Respondents. These Respondents also requests the Court's permission to file their brief after the Record on Appeal has been received. These Respondents are unable to prepare the final brief until the proper, complete Record on Appeal is received.

Respectfully submitted.



Rodney M. Brown SC Bar #000953
Attorney for Respondents, John D. Hatcher,
Rachel Shaluly, James F. Gilbert, Molly A. Miller and
Michael Stehney, individually and as members of the
Architectural Committee of Mill Creek Estates
210 S. Main Street
Fountain Inn, SC 29644
(864) 862-2528

April 20, 2016

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CERTIFICATE OF SERVICE

The undersigned employee of Rodney M. Brown, P.A., counsel for John D. Hatcher, Rachel Shaluly, James F. Gilbert, Molly A. Miller and Michael Stehney, individually and as members of the Architectural committee of Mill Creek Estates, does hereby certify that service of the Motion to Direct Appellant to File a Proper, Complete Record on Appeal and Allow Respondents to file their Final Brief after a proper, complete Record on Appeal is filed was made upon Appellant by placing a copy in the United States Mail, first class postage prepaid, at the below listed address clearly indicated on said envelope this 20th day of April, 2016.

Ronald J Ferguson
103 Mill Creek Road
Riedmont SC 29673


Annette M. Lay

RODNEY M. BROWN PA
ATTORNEY AT LAW

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SC Court of Appeals

April 20, 2016

Jenny Abbott Kitchings, Clerk
South Carolina Court of Appeals
Post Office Box 11629
Columbia, South Carolina 29211

RE: Ronald J. Ferguson vs. Millcreek, LP
2015-000593

Dear Ms. Kitchings:

Enclosed herein is a motion and 6 copies together with a Certificate of Service upon the Appellant. We did not include a Certificate of Service on the Respondent, Millcreek, LP because the organization is no longer in existence. The motion filing fee is also enclosed.

If you should have any questions about this, kindly advise.

Sincerely,


Rodney M. Brown

aml

Enclosures

cc: Ronald J. Ferguson

RODNEY M. BROWN, PA

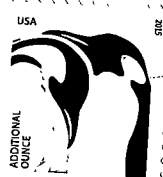
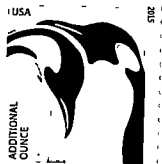
ATTORNEY AT LAW

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JENNY ABBOTT KITCHINGS CLERK
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COLUMBIA SC 29211