

79078

THE STATE OF SOUTH CAROLINA

In the Court of Appeals

APPEAL FROM BEAUFORT COUNTY

Court of Common Pleas

Carmen Tevis Mullen

Circuit Court Judge

Case No. 2014-CP-07-02670

RECEIVED

MAY 25 2016

SC Court of Appeals

BENJAMIN C. GECY, RIVER CITY DEVELOPERS, LLC and RIVER CITY REAL ESTATE, LLC Appellants,
v.

SOMERSET POINT AT LADY'S ISLAND HOMEOWNERS' ASSOCIATION, INC., f/k/a COOSAW RIVER ESTATES HOMEOWNERS' ASSOCIATION, LLC, HILTON C. SMITH, JR., COOSAW INVESTMENTS, LLC, and HILTON C. SMITH JR., INC. OF SOUTH CAROLINA Defendants,

Of whom HILTON C. SMITH, JR., COOSAW INVESTMENTS, LLC, and HILTON C. SMITH, JR., INC. OF SOUTH CAROLINA are Respondents.

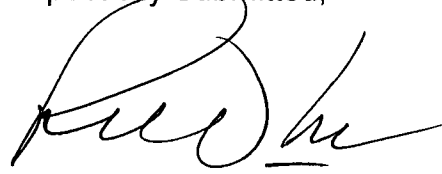
NOTICE OF APPEAL

PLEASE TAKE NOTICE that the Plaintiffs and Appellants, Benjamin C. Gecy, River City Developers, LLC, and River City Real Estate, LLC (herein collectively "the Appellants"), appeal from the Order of the Honorable Carmen T. Mullen dated November 10, 2015, and filed on November 12, 2015, written notice of which was received by Appellants' counsel on December 14, 2015, as well as from the Order of Judge Mullen dated April 18, 2016, in which she denied the Appellants' Motion for Reconsideration, which was filed on April 22, 2016, and after which the Appellants' counsel received written notice of same.

As required by rule, a copy of each order from which this appeal has been taken is enclosed with this Notice.

Respectfully Submitted,

By:



Robert V. Mathison, Jr.
S.C. Bar No. 3685

Attorney for the Appellants
Benjamin C. Gecy, River City
Developers, LLC, and River City
Real Estate, LLC

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May 23, 2016

Hilton Head Island, South Carolina.

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HOMEOWNERS' ASSOCIATION, LLC, HILTON C. SMITH,
JR., COOSAW INVESTMENTS, LLC, and HILTON C. SMITH
JR., INC. OF SOUTH CAROLINADefendants,

Of whom HILTON C. SMITH, JR., COOSAW INVESTMENTS,
LLC, and HILTON C. SMITH, JR., INC. OF SOUTH
CAROLINA are Respondents.

PROOF OF SERVICE

I, Robert V. Mathison, Jr., hereby certify that on May 23, 2016, I filed and served by mail the original and copies of the Appellants' Notice of Appeal, which is dated May 23, 2016, together with copies of the orders from which the appeal is taken, by depositing same, with sufficient first class postage prepaid, at the United States Post Office at Asheville, North Carolina, addressed as follows:

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

The Honorable Jerri Ann Roseneau
Clerk of Court for Beaufort County
Post Office Drawer 1128
Beaufort, South Carolina 29901

Morgan S. Templeton, Esquire
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Wall, Templeton & Haldrup, P.A.
Post Office Box 1200
Charleston, South Carolina 29402

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Kelly D. Dean, Esquire
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May 23, 2016

Hilton Head Island, South Carolina.

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SC Court of Appeals

May 23, 2016

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

Re: Benjamin C. Gecy, et al. v. Somerset Point at Lady's Island Homeowners'
Association, Inc. at al.
Case No. 2014-CP-07-02670

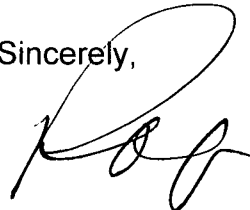
Dear Ms. Kitchings:

Enclosed for filing are the following: (a) the original Notice of Appeal in the case referenced above; (b) the original Proof of Service; and (c) copies of the two orders challenged on appeal.

Also enclosed is our check in the amount of \$100.00 to pay the filing fee.

With kind regards, I am

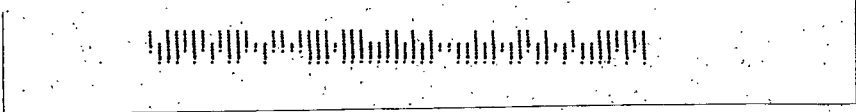
Sincerely,



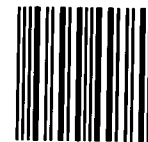
Robert V. Mathison, Jr.
S.C. Bar No. 3685

RVM:bh
Enclosures

cc: The Honorable Jerri Ann Roseneau
South Carolina Court Administration
Morgan S. Templeton, Esquire
R. Duke Highfield, Esquire
E. Mitchell Griffith, Esquire



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