

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

RECEIVED

APPEAL FROM THE COURT OF COMMON PLEAS

MAY 31 2016

SC Court of Appeals

Roger L. Couch, Circuit Court Judge

Irvin G. Condon, Probate Court Judge

Circuit Court Case No. 2014-CP-10-4336

Probate Case No. 2013-GC-10-1029

Peter J. Wellin, Cynthia W. Plum and Marjorie W. King,

Appellants.

v.

Keith S. Wellin,

Respondent.

NOTICE OF APPEAL

Pursuant to Rule 203 of the South Carolina Appellate Court Rules, Appellants Peter Wellin, Cynthia Wellin Plum, and Marjorie Wellin King, by and through their attorneys, hereby timely appeal the following orders: 1) Order Affirming Probate Court Orders entered on January 13, 2016 (Attachment 1), and; 2) Order Denying Appellants' Motion to Alter or Amend entered on May 16, 2016 (Attachment 2). *See also* underlying probate court orders from which Appellants timely appealed to the circuit court pursuant to S.C. Code Ann. § 62-1-308. (Attachment 3.) Counsel for Appellants received written notice of the entry of the circuit court order affirming the probate court on January 18, 2016, and timely filed a motion to alter or amend the Order pursuant to SCRCP 59(e) on January 22, 2016. Counsel for Petitioners received written notice of the entry of the order denying their Rule 59(e) motion on May 16, 2016. Thus, this Notice of

Appeal is timely filed pursuant to Rule 203 of the South Carolina Appellate Court Rules. Copies of the aforementioned orders are attached hereto.

NELSON MULLINS RILEY & SCARBOROUGH LLP

By: _____

Robert H. Brunson

SC Bar No. 11987

E-Mail: robert.brunson@nelsonmullins.com

Merritt G. Abney

SC Bar No. 71893

E-mail: merritt.abney@nelsonmullins.com

Patrick C. Wooten

SC Bar No. 77985

E-Mail: patrick.wooten@nelsonmullins.com

151 Meeting Street / Sixth Floor

Post Office Box 1806 (29402-1806)

Charleston, SC 29401-2239

(843) 853-5200

A. Mattison Bogan

SC Bar No. 72629

E-Mail: matt.bogan@nelsonmullins.com

Post Office Box 11070

Columbia, SC 29201

(803) 799-2000

*Attorneys for Peter Wellin, Cynthia Wellin Plum, and
Marjorie Wellin King*

Charleston, South Carolina
May 26, 2016

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM THE COURT OF COMMON PLEAS

Roger L. Couch, Circuit Court Judge

Irvin G. Condon, Probate Court Judge

Circuit Court Case No. 2014-CP-10-4336

Probate Court Case No. 2013-GC-10-1029

RECEIVED

MAY 31 2016

SC Court of Appeals

Peter J. Wellin, Cynthia W. Plum and Marjorie W. King, Appellants,

v.

Keith S. Wellin, Respondent.

PROOF OF SERVICE

I, the undersigned Administrative Assistant of the law offices of Nelson Mullins Riley & Scarborough LLP, attorneys for Appellant, do hereby certify that I have served all counsel in this action with a copy of the pleading(s) hereinbelow specified by mailing a copy of the same by United States Mail, postage prepaid, to the following address(es):

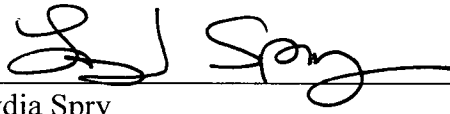
Pleadings: **Notice of Appeal**

Counsel Served:

Robert H. Hood, Esq.
Molly H. Craig, Esq.
James B. Hood, Esq.
William G. DesChamps, IV, Esq.
Hood Law Firm, LLC
PO Box 1508
Charleston, SC 29402

Tiffany N. Provence, Esq.
Provence Messervy
300 North Cedar Street, Suite A
Summerville, SC 29483

Edward G.R. Bennett, Esq.
Evans, Carter, Kunes & Bennett, P.A.
PO Box 369
Charleston, SC 29402-0369



Lydia Spry
Administrative Assistant

May 26, 2016

Nelson Mullins

Nelson Mullins Riley & Scarborough LLP

Attorneys and Counselors at Law
151 Meeting Street / Sixth Floor / Charleston, SC 29401-2239
Tel: 843.853.5200 Fax: 843.722.8700
www.nelsonmullins.com

Merritt G. Abney
Tel: 843.534.4110
Fax: 843.722.8700
merritt.abney@nelsonmullins.com

May 26, 2016

The Honorable Jenny Abbott Kitchings
Clerk of Court
SC Court of Appeals
1015 Sumter Street - 5th Floor
Columbia, SC 29201

RECEIVED
MAY 31 2016
SC Court of Appeals

RE: Peter J. Wellin, Cynthia W. Plum and Marjorie W. King v. Keith S. Wellin
Circuit Court Case No. 2014-CP-10-4336
Probate Court Case No. 2013-GC-10-0129
Our File No. 39113/01500

Dear Ms. Kitchings:

Enclosed please find the original and one copy of a Notice of Appeal in the above-referenced matter. We would ask that you file the original and return a clocked-in copy to us via the envelope provided for your convenience. Also enclosed is our Firm's check in the amount of \$150.00 as the required filing fee.

By copy of this letter to the Charleston County Clerk of Court and counsel of record, we are serving them with a copy of this notice.

With kind regards, I remain

Very truly yours,

Merritt G. Abney

MGA:ls
Enclosures

cc: The Honorable Julie J. Armstrong
Robert H. Hood, Esq.
Molly H. Craig, Esq.
James B. Hood, Esq.
William G. DesChamps, IV, Esq.
Tiffany N. Provence, Esq.
Edward G.R. Bennett, Esq.

Hasler

PRIORITY MAIL

05/26/2016

US POSTAGE

\$06.80⁰⁰



ZIP 29401
011D11645519

**Nelson
Mullins**

Nelson Mullins Riley & Scarborough LLP
Attorneys and Counselors at Law
Post Office Box 1806
Charleston, SC 29402-1806
39113/01500

The Honorable Jenny Abbott Kitchings
Clerk of Court
SC Court of Appeals
1015 Sumter Street - 5th Floor
Columbia, SC 29201

RECEIVED

MAY 31 2016

SC Court of Appeals