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JUN 15 2016

**SC Court of Appeals**

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

APPEAL FROM ORANGEBURG COUNTY  
Court of Common Pleas

The Honorable Maite Murphy

Case No. 2014-CP-38-00802

Lindsey Stewart, Personal Representative of the Estate of Shaun Robert Moore,..... Appellant,

v.

Green Apple, LLC, d/b/a Applebee's, John/Jane Doe, Manager, and Stabler L. Inabinet,.....Defendants,

Of Whom Green Apple, LLC, d/b/a Applebee's is the .....Respondent.

NOTICE OF APPEAL

Lindsey Stewart, Personal Representative of the Estate of Shaun Robert Moore, ("Appellant") appeals the Order of the Honorable Maite Murphy dated August 3, 2015, and filed August 14, 2015, granting Green Apple, LLC, d/b/a Applebee's ("Respondent") motion for summary judgment, and the Order dated May 3, 2016, denying Appellant's Rule 59(e), SCRCPP, Motion to Reconsider, Alter, or Amend. On May 18, 2016, Appellant received written notice of the signed Order denying the Rule 59(e), SCRCPP, motion. This Notice is timely filed. A copy of the Orders appealed from are attached to this Notice.

*[Signature block appears on the following page.]*

Dated:

June 13, 2016

BARNES LAW FIRM, LLC

By:

Kathleen C. Barnes

Kathleen C. Barnes, Bar No. 78854

Post Office Box 897

Hampton, SC 29924

803-943-4529

LANIER & BURROUGHS, LLC

Shane M. Burroughs

Justin T. Bamberg

Post Office Drawer 2789

Orangeburg, SC 29116

803-268-9800

*Attorneys for Appellant*

Other Counsel of Record:

Drew H. Butler

Richardson Plowden and Robinson, PA

P.O. Box 21203

Charleston, SC 29413

843-805-6550

*Attorney for Respondent*

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Green Apple, LLC, d/b/a Applebee's, John/Jane Doe, Manager, and Stabler L. Inabinet,.....Defendants,

Of Whom Green Apple, LLC, d/b/a Applebee's is the.....Respondent.

PROOF OF SERVICE

The undersigned certifies that a copy of the Notice of Appeal and Appellant's Motion to Consolidate and for an Extension have been served upon Drew H. Butler, counsel of record for Respondent in the lower court, by mailing a copy of the same, postage prepaid, in the United States Mail, addressed as shown below this 13 day of June, 2016.

Drew H. Butler  
Richardson Plowden and Robinson, PA  
P.O. Box 21203  
Charleston, SC 29413

[Signature block appears on the following page.]

Dated: June 13, 2016

BARNES LAW FIRM, LLC

By: Kathleen C. Barnes

Kathleen C. Barnes  
Post Office Box 897  
Hampton, SC 29924  
803-943-4529

# BARNES

LAW FIRM | LLC

Kathleen C. Barnes

Admitted: Georgia | South Carolina

June 13, 2016

The Honorable Winnifa B. Clark  
Orangeburg County Clerk of Court  
P.O. Box 9000  
Orangeburg SC, 29116

Re: *Lindsey Stewart, Personal Representative of the Estate of Shaun Robert Moore v. Green Apple, LLC, d/b/a Applebee's, et al.*,  
Civil Action No. 2014-CP-38-00802  
*Lindsey Stewart, Personal Representative of the Estate of Shaun Robert Moore v. Green Apple, LLC, d/b/a Applebee's, et al.*,  
Civil Action No. 2014-CP-38-00803  
**Notices of Appeal**

Dear Ms. Clark:

Enclosed for filing please find the originals and one copy of the Notices of Appeal in the above-referenced cases. Please file the documents and return the file-stamped copies to me in the enclosed self-addressed, stamped envelope.

By copy of this letter, I am serving all counsel of record and the Clerk of Court for the Court of Appeals with a copy of the same. If you have any questions, please do not hesitate to contact me. Thank you.

With kind regards, I am,

BARNES LAW FIRM, LLC



Kathleen C. Barnes

cc: The Honorable Jenny Abbott Kitchings  
Drew H. Butler, Esquire  
Alfred Johnston Cox, Esquire  
Shane Burroughs, Esquire (via email)  
Justin T. Bamberg, Esquire (via email)

# BARNES

LAW FIRM | LLC

Kathleen C. Barnes  
Admitted: Georgia | South Carolina

RECEIVED

JUN 15 2016

SC Court of Appeals

June 13, 2016

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

Re: *Lindsey Stewart, Personal Representative of the Estate of Shaun Robert Moore v. Green Apple, LLC, d/b/a Applebee's*, Civil Action No. 2014-CP-38-00802


Dear Mrs. Kitchings:

Enclosed for filing please find the original and one copy of the Notice of Appeal in the above-referenced case, proof of service of the Notice of Appeal, a copy of the Orders challenged on appeal, and a check in the amount of \$100.00 for the filing fee. Also enclosed is a Motion to Consolidate this appeal with an appeal filed simultaneously for *Lindsey Stewart, Personal Representative of the Estate of Shaun Robert Moore v. Green Apple, LLC, d/b/a Applebee's*, Civil Action No. 2014-CP-38-00803, and motion for an extension, and a \$25.00 motion filing fee. Appellant is in possession of the transcript from the lower court proceeding and files the enclosed motion for an extension pending the Court's ruling on the motion to consolidate.

Please file these documents and return the file-stamped copies to me in the enclosed self-addressed, stamped envelope. By copy of this letter, I am serving counsel of record for the Respondent and the Orangeburg County Clerk of Court with a copy of the same. If you have any questions, please do not hesitate to contact me. Thank you.

With kind regards, I am,

BARNES LAW FIRM, LLC



Kathleen C. Barnes

cc: Drew H. Butler, Esquire  
The Honorable Winnifa B. Clark ✓  
Shane Burroughs, Esquire (via email)  
Justin Bamberg, Esquire (via email)

Barnes Law Firm, LLC  
P.O. Box 897  
Hampton, SC 29924

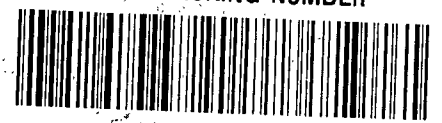
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The Honorable Jenny Abbott Kitchings  
Clerk of Court for the Court of Appeals  
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Columbia, SC 29211

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