

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

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APPEAL FROM HORRY COUNTY
Court of Common Pleas

R. Lawton McIntosh, Circuit Court Judge

Case No. 2014-CP-26-8367
(Formerly 2013-CP-26-2816)

Appellate Case No. 2016-001377

RECEIVED

JAN 25 2017

SC Court of Appeals

Gabriel Barnhill & GSB Enterprises LLC..... Respondents

v.

J. Floyd Swilley, J. Floyd Swilley Investment Advisors, Laurel K. Swilley, SMG Partners, LLC, SMS Services, LP, William C. Piner, WCP Limited, LLC, 809 Holdings, LP, QC Financing, LLC, Heath Causey, and Sage Financial Group, LLC, J. Floyd Swilley SMG Partners, LLC, Alicia A. Piner, Heath Causey, Sage Advisory Group, L.P., Sage Private Equity Group, Secured Asset Factoring Exchange, Inc., SAFE, Inc., Digics, LLC, 9-1-1, Plumbing, LLC, and Sage Funding, L.P., Christopher Pitcock, Defendants,

Of Whom Heath Wendell Causey is the Appellant

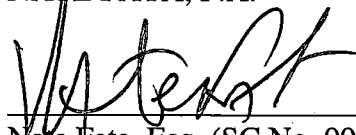
RESPONDENTS' RESPONSE TO APPELLANT CAUSEY'S MOTION TO STRIKE
RESPONSE BRIEF AND DESIGNATION OF RECORD

Respondents Gabriel Barnhill & GSB Enterprises, LLC (collectively "Barnhill")
hereby respond to Appellant Causey's Motion to Strike Response Brief and Designation
of Record which Causey served on January 13, 2017.

Causey has no standing to move to strike Barnhill's brief in response to Swilley's Amended Initial Brief and Causey errs in his recitation of the deadline. Swilley filed an Amended Initial Brief on December 3, 2016, in response to the Court's Order requiring Swilley to file Amended Brief. Barnhill served his Initial Brief in Response to Swilley's Amended Brief on December 29, 2016, within 30 days as required by Rule 208 (a)(2), SCACR and in accordance with the undersigned's December 2016 telephonic conversation with the Clerk. Prior to Barnhill's receipt of the Swilley Amended Brief, Barnhill did not know Swilley's revisions or pagination in their brief and, therefore, Barnhill could not prepare a response. Furthermore, Causey has no standing to object to the Respondents' brief in the Swilley appeal.

Respondents respectfully request that the Court deny Causey's Motion to Strike because he has no standing and the Respondents' Brief was timely filed in any event.

NATE FATA, P.A.



Nate Fata, Esq. (SC No. 009866)
Post Office Box 16620
Surfside Beach, SC 29587
843-238-2676

January 23, 2017

Attorney for Respondents

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM HORRY COUNTY
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R. Lawton McIntosh, Circuit Court Judge

Trial Court Case No. 2014-CP-26-8367
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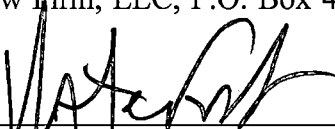
J. Floyd Swilley, J. Floyd Swilley Investment Advisors, Laurel K. Swilley, SMG Partners, LLC, SMS Services, LP, William C. Piner, WCP Limited, LLC, 809 Holdings, LP, QC Financing, LLC, Heath Causey, and Sage Financial Group, LLC, J. Floyd Swilley SMG Partners, LLC, Alicia A. Piner, Heath Causey, Sage Advisory Group, L.P., Sage Private Equity Group, Secured Asset Factoring Exchange, Inc., SAFE, Inc., Digics, LLC, 9-1-1, Plumbing, LLC, and Sage Funding, L.P., Christopher Pitcock, Defendants,

Of Whom Heath Wendell Causey is the Appellant

PROOF OF SERVICE

I certify that I have served Respondents' Response to Causey Motion to Strike Response Brief of Appellee's and Designation of Record on Heath Wendell Causey, Pro Se and F. Miles Adler, Esq. by depositing a copy of same in the United States Mail, postage prepaid, on January 23, 2017, addressed to Heath Wendell Causey, 1705 N. Oak Street, Suite 2, Myrtle Beach, SC 29577 and F. Miles Adler, Esquire, Adler Law Firm, LLC, P.O. Box 4743, Pawleys Island, SC 29585.

January 23, 2017



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JAN 25 2017

SC Court of Appeals

VIA U.S. MAIL

January 23, 2017

The Honorable Jenny Abbott Kitchings
Clerk, South Carolina Court of Appeals
P.O. Box 11629
Columbia, South Carolina 29211

Re: Gabriel Barnhill and GSB Enterprises, LLC vs. Heath Wendell Causey
Appellate Case No. 2016-001377 (filed under 2016-001328)

Dear Ms. Kitchings:

Enclosed for filing are an original and six copies of Respondents' Response to Causey Motion To Strike Response Brief of Appellee's and Designation of Record and Proof of Service of same.

We appreciate the Court's consideration.

Sincerely,



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(843) 238-2676
Attorney for Respondents

cc:

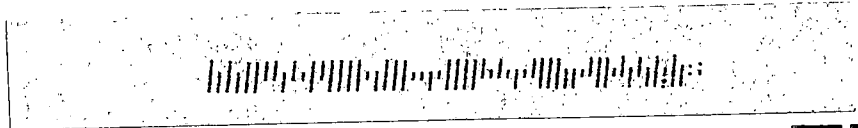
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