

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM SALUDA COUNTY
In The Circuit Court

Jocelyn Newman, Circuit Court Judge

RECEIVED

FEB 03 2017

SC Court of Appeals

C.A. No.: 2015-CP-41-139

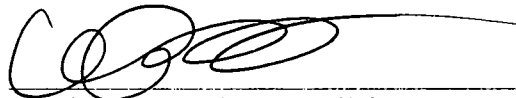
Amy Potts.....Respondent.

v.

McCarty Enterprises, LLC, John Miles McCarty, Audrey S. McCarty, a/k/a Audrey J. McCarty and Jane DoeAppellants.

NOTICE OF APPEAL

Pursuant to S.C. Code Ann. 14-3-330(2), McCarty Enterprises, LLC, John Miles McCarty, Audrey S. McCarty, a/k/a Audrey J. McCarty and Jane Doe hereby appeal the September 28, 2016, Judgment of the Honorable Jocelyn Newman striking Defendants' Answer and denying other relief, which was mailed to Defendants' counsel on October 4, 2016 and received on October 6, 2016, and the Judgment denying Appellant's Motion to Alter or Amend by the Honorable Jocelyn Newman, dated December 29, 2016, and received by Appellants on January 3, 2017.



Candy Kern-Fuller, Esq. (SC Bar No. 11392)
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ATTORNEY FOR APPELLANT

January 31, 2017

Counsel of Record for Respondent Mrs. Amy Potts:

Mr. Frank S. Potts, Esq.
137 Stone Ridge Rd
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(803) 734-1277

Mr. Michael Evan Lacke,
Lacke Law Firm, LLC
147 Wappoo Creek Dr., Ste. 204
Charleston, SC 29412

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v.

McCarty Enterprises, LLC, John Miles McCarty, Audrey S. McCarty, a/k/a Audrey
J. McCarty and Jane DoeAppellants.

PROOF OF SERVICE

I certify that I have served the Notice of Appeal and Motion for Extension of Time to File Initial Brief on Amy Potts, by depositing a copy of it in an envelope via the United States Mail, Certified Mail, Return Receipt Requested, with proper postage affixed thereto, on January 31, 2017, addressed to her attorneys of record:

Mr. Frank S. Potts
State Fiscal Accountability Authority
1201 Main Street
Suite 350 (Capitol Center)
Columbia, SC 29201

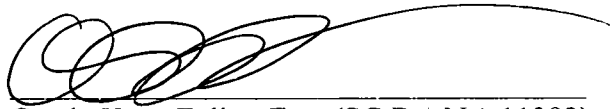
Mr. Michael Evan Lacke
Lacke Law Firm, LLC
147 Wappoo Creek Dr., Ste. 204
Charleston, SC 29412

And the Clerk for the Court of Appeals:

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

And the Clerk of Court for Saluda County:

The Honorable Doris B. Holmes
Saluda County Courthouse
100 E Church St, Ste 6
Saluda, SC 29138-1444



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January 31, 2017



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FORM 8

LETTER TO THE APPELLATE COURT CLERK
FILING THE NOTICE OF APPEAL

January 31, 2017

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FEB 03 2017

SC Court of Appeals

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

RE: Amy Potts v. McCarty Enterprises, LLC, John Miles McCarty, Audrey S. McCarty
a/k/a Audrey J. McCarty, and Jane Doe, Case No.: 2015-CP-41-139

Dear Ms. Kitchings:

Enclosed for filing is a notice of appeal in the above case. Also enclosed are the following:

- (1) Proof of service of the notice of appeal on the respondent[s].
- (2) A copy of the judgments which is are to be challenged on appeal.
- (3) A filing fee of \$125.00.
- [(4) This appeal is being filed with the Court pursuant to S.C. Code Ann. 14-3-330(2).

Sincerely,
s/ Candy M. Kern-Fuller, Esq.
Candy M. Kern-Fuller
Upstate Law Group
200 E. Main Street
Easley, SC 29640
(864) 855-3114

cc: Saluda County Circuit Court
Frank Potts
Michael Evan Lacke