

THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

RECEIVED

APPEAL FROM CHARLESTON COUNTY
Maite D. Murphy, Circuit Judge

FEB 08 2016

SC Court of Appeals

Court of Common Pleas Case No. 2014-CP-10-3796

CLEAR BLUE POOLS,

Respondent,

v.

EDWARD TERRY a/k/a TED TERRY,
OCEANA DESIGNS & CONSTRUCTION
SERVICES, LLC; JOHN G. CROUCH, III; AND
JOHN GLYDER,

Defendants,

Of whom

EDWARD TERRY is the

Appellant.

NOTICE OF APPEAL

Appellant Edward M. Terry a/k/a Ted Terry appeals the Order of Circuit Judge Maite D. Murphy filed on December 28, 2016. Appellant received written notice of entry of the Order on January 6, 2017. A copy of the written Order is attached hereto.

ROSEN, ROSEN & HAGOOD, LLC

By: 

James A. Bruorton, IV, SC Bar No. 71300

Liam D. Duffy, SC Bar No. 102234

151 Meeting Street, Suite 400

Post Office Box 893

Charleston, SC 29402

(843) 577-6726 telephone

cbruorton@rrhlawfirm.com

lduffy@rrhlawfirm.com

ATTORNEYS FOR APPELLANT

Other attorneys of record:

P. Brandt Shelbourne
Shelbourne Law Firm
SC Bar No. 15143
131 E. Richardson Avenue
Summerville, SC 29483
(843) 871-2210

ATTORNEY FOR RESPONDENT

ROSEN | HAGOOD

(843) 266-8102
seschenbrenner@rrhlawfirm.com

February 3, 2017

RECEIVED

FEB 08 2016

SC Court of Appeals

South Carolina Court of Appeals
ATTN: AMELIA
Post Office Box 11629
Columbia, SC 29211

Re: Clear Blue Pools v. Edward Terry a/k/a Ted Terry, et al.
Case No.: 2014-CP-10-03796

Dear Amelia:


Enclosed please find a signed Notice of Appeal in the above matter. I am putting the original in the mail to you today.

Thank you for your kind help earlier in discussing this case. As we discussed, please substitute this signed Notice with the unsigned one.

Please let me know if you need anything else or if there is something else we should do at this point.

With kindest regards, I am

Sincerely yours,



Suzy Eschenbrenner
Paralegal

/sec
Enclosures

FORM 4

STATE OF SOUTH CAROLINA
COUNTY OF Charleston
IN THE COURT OF COMMON PLEAS

JUDGMENT IN A CIVIL CASE

CASE NO. 2014 CP-10-3798

FILED

Clear Blue Pools, Inc.

Edward Terry A/K/A Ted Terry and John Glyder

2016 DEC 28 PM 2: 28

PLAINTIFF(S)

JULIE J. ARMSTRONG
CLERK OF COURT

DEFENDANT(S)

Submitted by:

Attorney for : Plaintiff Defendant
or
 Self-Represented Litigant

DISPOSITION TYPE (CHECK ONE)

- JURY VERDICT. This action came before the court for a trial by jury. The issues have been tried and a verdict rendered.
- DECISION BY THE COURT. This action came to trial or hearing before the court. The issues have been tried or heard and a decision rendered. See Page 2 for additional information.
- ACTION DISMISSED (CHECK REASON): Rule 12(b), SCRPC; Rule 41(a), SCRPC (Vol. Nonsuit); Rule 43(k), SCRPC (Settled); Other
- ACTION STRICKEN (CHECK REASON): Rule 40(j), SCRPC; Bankruptcy; Binding arbitration, subject to right to restore to confirm, vacate or modify arbitration award; Other
- DISPOSITION OF APPEAL TO THE CIRCUIT COURT (CHECK APPLICABLE BOX):
 Affirmed; Reversed; Remanded; Other

NOTE: ATTORNEYS ARE RESPONSIBLE FOR NOTIFYING LOWER COURT, TRIBUNAL, OR ADMINISTRATIVE AGENCY OF THE CIRCUIT COURT RULING IN THIS APPEAL.

IT IS ORDERED AND ADJUDGED: See attached order (formal order to follow) Statement of Judgment by the Court: Pursuant to this Court's authority under Rules 50 and 59 SCRPC, the Defendants' Motion for Judgment Notwithstanding the Verdict and for a New Trial is dismissed without oral arguments and determined upon the briefs and other pleadings filed by the parties. I find that all arguments properly raised to the Court have already been ruled upon and this Court will not consider further arguments on the matter.

ORDER INFORMATION

This order ends does not end the case.
Additional Information for the Clerk : _____

INFORMATION FOR THE JUDGMENT INDEX

Complete this section below when the judgment affects title to real or personal property or if any amount should be enrolled. If there is no judgment information, indicate "N/A" in one of the boxes below.

Judgment in Favor of (List name(s) below)	Judgment Against (List name(s) below)	Judgment Amount To be Enrolled (List amount(s) below)
		\$
		\$
		\$

If applicable, describe the property, including tax map information and address, referenced in the order:

The judgment information above has been provided by the submitting party. Disputes concerning the amounts contained in this form may be addressed by way of motion pursuant to the SC Rules of Civil Procedure. Amounts to be computed such as interest or additional taxable costs not available at the time the form and final order are submitted to the judge may be provided to the clerk. Note: Title abstractors and researchers should refer to the official court order for judgment details.



State of South Carolina
The Circuit Court

Maité Murphy
Judge

5200 E. Jim Bilton Boulevard
Post Office Box 802
St. George, SC 29477
Phone: (843) 832-0391
Fax: (843) 832-0392
mmurphyj@sccourts.org

December 15, 2016

Ms. Julie J. Armstrong
Charleston County Clerk of Court
100 Broad Street, Suite 106
Charleston, SC 29401

Re: Clear Blue Pools, Inc. v. Edward Terry A/K/A Ted Terry and John Glyder
Case No. 2014-CP-10-3796

Dear Ms. Armstrong:

Enclosed for filing is the decision of the Honorable Maité Murphy denying Defendants' Motion for Judgment Notwithstanding the Verdict and for a New Trial.

Please feel free to contact me with any questions or concerns you may have.

Sincerely,

A handwritten signature in black ink, appearing to read "L. M. Allen".

Luke Allen
Law Clerk to the Hon. Maité Murphy
P.O. Box 802
5200 E. Jim Bilton Blvd.
St. George, SC 29477
Office: (843) 832-0391

FEB. 8. 2017 3:32PM
100 BRUARD STREET, SUITE 100
CHARLESTON, SC 29401-2258

RETURN SERVICE REQUESTED



NO. 1193, P. 8
clerk@clerkofcourt.charlestoncounty.org

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JAMES ATKINSON BRUORTON IV
PO BOX 893
CHARLESTON SC 29402-0893

NOTICE OF ENTRY OF JUDGMENT/ORDER PURSUANT TO RULE 77 SCRPC

Order/def mot for judg notwithstanding verdict is dismissed

CASE NO: 2014CP1003796

Clear Blue Pools Inc VS Edward Terry , defendant, et al

This judgment was entered on the 28th day of December, 2016, and notice mailed first class on Thursday, December 29, 2016, to all counsel of record and/or all parties entitled to receive notice.

You may view and download this document at <http://clerkofcourt.charlestoncounty.org> or obtain a copy in person at the Clerk of Court's Office during regular Charleston County business hours.

received
1/16/2017

ROSEN, ROSEN & HAGOOD, LLC

151 Meeting Street, Suite 400

Charleston, SC 29401

Tel: (843) 577-6726

Fax: (843) 724-8036

FAX TRANSMISSION

ATTORNEY-CLIENT PRIVILEGE

Date Sent: 2/8/17

Sent From: Suzy Eschenbrenner

Sent To: Amelia

Fax Number: 803-734-1839

Number of Pages (including cover page): 8

MESSAGE

THE INFORMATION CONTAINED IN THIS FACSIMILE IS CONFIDENTIAL AND IS INTENDED ONLY FOR THE USE OF THE INDIVIDUAL OR ENTITY TO WHOM IT IS ADDRESSED. IF YOU ARE NOT THE INTENDED RECIPIENT OR THE PERSON RESPONSIBLE FOR DELIVERING IT TO THE INTENDED RECIPIENT, DO NOT USE OR DISCLOSE THIS FACSIMILE. IF YOU HAVE RECEIVED THIS FACSIMILE IN ERROR, PLEASE IMMEDIATELY NOTIFY US BY TELEPHONE, AND RETURN THE ORIGINAL TO ROSEN, ROSEN & HAGOOD VIA THE U.S. POSTAL SERVICE. THANK YOU.