

THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

APPEAL FROM PICKENS COUNTY  
Court of Common Pleas

Letitia H. Verdin, Circuit Court Judge

Case No. 2015-CP-39-00748

**RECEIVED**

**MAR 15 2017**

**SC Court of Appeals**

Kirk Porter d/b/a Piedmont Outdoor Advertising,..... Respondent,

v.

Tri-C Construction Company, Inc., ..... Appellant.

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**NOTICE OF APPEAL**

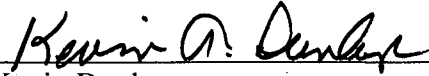
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Tri-C Construction Company, Inc. ("Tri-C Construction") hereby appeals from: (1) the Order of the Honorable Letitia H. Verdin filed October 24, 2016 denying Tri-C Construction's Motion for Summary Judgment as well as any other ruling as a matter of law at trial in the above-referenced matter; (2) the Order of the Honorable Letitia H. Verdin filed October 24, 2016 ruling in favor of the Plaintiff, Kirk Porter d/b/a Piedmont Outdoor Advertising ("Respondent"), in the above-referenced matter; and (3) the Order filed February 7, 2017 denying Tri-C Construction's Motion to Alter or Amend that Judgment (copies attached).

Appellant files this Notice of Appeal in accordance with Rule 203 of the South Carolina Appellate Court Rules. Tri-C Construction timely filed the Motion to Alter or Amend the October 24, 2016 ruling on November 2, 2016. This Notice of Appeal is being timely served within thirty (30)-days of Tri-C Construction's receipt of the written notice of the Order denying its Motion to Alter or Amend the Judgment on February 7, 2017.

[SIGNATURE PAGE FOLLOWS]  
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Respectfully submitted,



Kevin Dunlap  
Parker Poe Adams & Bernstein LLP  
100 Dunbar Street, Suite 206  
Spartanburg, South Carolina 29306  
(864) 591-2030  
[kevindunlap@parkerpoe.com](mailto:kevindunlap@parkerpoe.com)

*Attorney for Appellant  
Tri-C Construction Company, Inc.*

March 8, 2017  
Spartanburg, South Carolina

Other Counsel of Record:  
Neal A. Collins, Esq.  
101-A North East Main Street  
Post Office Box 665  
Easley, SC 29641  
(864) 859-7160  
[collins.neal@gmail.com](mailto:collins.neal@gmail.com)

*Attorney for Respondent  
Kirk Porter d/b/a Piedmont Outdoor Advertising*

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**CERTIFICATE OF SERVICE**

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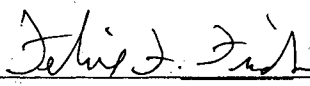
I certify that I have served the Notice of Appeal on counsel of record in this action as by hand delivery well as the Clerk of Pickens County Court of Common Pleas by depositing a copy of the same in the United States Mail, postage prepaid, on March 7, 2017, addressed as follows:

**via First-Class United States  
Mail and e-Filing**  
Harold P. Welborn  
Pickens County Clerk of Court  
P.O. Box 215  
Pickens, SC 29671-0215  
(864) 898-5598

**via Hand Delivery, e-Filing  
and Electronic Mail**  
Neal A. Collins  
101-A North East Main Street  
Post Office Box 665  
Easley, SC 29641  
(864) 859-7160  
[collins.neal@gmail.com](mailto:collins.neal@gmail.com)

*Attorney for Respondent  
Kirk Porter d/b/a Piedmont Outdoor  
Advertising*

This the 8th day of March, 2017.

  
\_\_\_\_\_  
Felix Fricks  
Parker Poe Adams & Bernstein LLP

STATE OF SOUTH CAROLINA  
COUNTY OF PICKENS

) IN THE COURT OF COMMON PLEAS  
)  
) FOR THE THIRTEENTH JUDICIAL CIRCUIT

Kirk Porter d/b/a Piedmont Outdoor  
Advertising,

) Civil Action # 2015-CP-39-00748  
)  
)

Plaintiff,

) AFFIDAVIT OF SERVICE  
)  
)

v.

Tri-C Construction Company, Inc.,

Defendant.  

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The affiant, being first duly sworn, deposes and says:

1. I am over the age of 18 and competent to make the representations in this affidavit.
2. I am a Courier/IST Specialist at Parker Poe Adams & Bernstein LLP ("Parker Poe"). I have worked at Parker Poe since January, 2017.
3. On March 8, 2017, I personally served Tri-C Construction Company, Inc.'s Notice of Appeal on:

Neal A. Collins, Esq.  
101-A North East Main Street  
P.O. Box 665  
Easley, South Carolina 29641

Attorney for Plaintiff

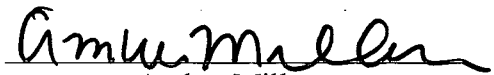
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MAR 15 2017

SC Court of Appeals

4. Further the affiant sayeth not.

This 8th day of March, 2017.

  
Amber Millen

Sworn/affirmed to and subscribed before me  
on this 8<sup>th</sup> day of March, 2017.

Personally known  or Produced identification [ ]

Felix F. Fricks

Felix F. Fricks  
Notary Public for the State of South Carolina  
My commission expires March 25, 2025

(Notary Seal)

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**SC Court of Appeals**



Kevin A. Dunlap  
*Partner*  
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kevindunlap@parkerpoe.com

Atlanta, GA  
Charleston, SC  
Charlotte, NC  
Columbia, SC  
Greenville, SC  
Raleigh, NC  
Spartanburg, SC

March 8, 2017

**Via Hand Delivery**

Neal A. Collins, Esq.  
Carolina Law and Mediation, LLC  
101-A North East Main Street  
P. O. Box 665  
Easley, SC 29641

Re: **Kirk Porter d/b/a Piedmont Outdoor Advertising v. Tri-C Construction, Inc.**  
**C.A.: 2015-CP-39-00748, Notice of Appeal**

Dear Neal:

I am enclosing herein Tri-C Construction Company, Inc.'s Notice of Appeal in the above matter.

With best wishes, I remain

Yours very truly,

Kevin A. Dunlap

KAD  
Enclosures

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**MAR 15 2017**

**SC Court of Appeals**

PPAB 3609404v1



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Raleigh, NC  
Spartanburg, SC

March 15, 2015

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MAR 15 2017

**SC Court of Appeals**

**Via Hand Delivery**

The Honorable Jenny Abbot Kitchings  
Clerk of Court, Court of Appeals  
1220 Senate Street  
Columbia, SC 29201

**Re: Notice of Appeal for Kirk Porter d/b/a Piedmont Outdoor Advertising v. Tri-C Construction Company, Inc.; Case No. 2015-CP-39-00748 (Pickens County)**

Dear Ms. Kitchings:

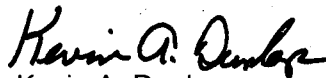
Enclosed please find an original and one copy of the notice of appeal of the appellant, Tri-C Construction, which was personally served on March 8, 2017 on the respondent, Kirk Porter, along with the following documents:

1. Copies of the Orders being challenged on appeal with unabbreviated captions; and
2. An affidavit of Service of the Notice of Appeal on the respondent.

This notice of appeal was also electronically filed with the Clerk of Court for Pickens County on March 8, 2017. Please file the original notice of appeal and return a file-stamped copy to my office by our courier.

Please do not hesitate to contact me should you have any questions.

Sincerely,

  
Kevin A. Dunlap

Enclosures

cc: Neal Collins (via electronic mail)

PPAB 2921259v1