

IN THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM HORRY COUNTY
Court of Common Pleas

Benjamin H. Culbertson, Circuit Court Judge

Case No. 2014-CP-26-7264
Appellate Case No. 2017-000471

RECEIVED
APR 03 2017
SC Court of Appeals

Gregory Duerk, Donald L. Duerk, Jr. and Deborah Duerk Tiller,.....Appellants,

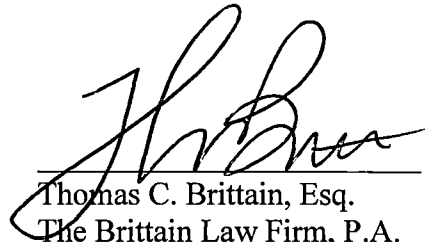
v.

Geoffrey Duerk, Kristen Duerk and James M. Stewart,.....Respondents.

AMENDED
NOTICE OF APPEAL

Gregory Duerk, Donald L. Duerk, Jr. and Deborah Duerk Tiller hereby appeal the Order Denying Motion to Reconsider and Order Granting Defendant's Motion to Dismiss of the Honorable Benjamin H. Culbertson. Appellants received written notice of entry of the Order Denying Motion to Reconsider on January 17, 2017.

March 30, 2017



Thomas C. Brittain, Esq.
The Brittain Law Firm, P.A.
4614 Oleander Drive
Myrtle Beach, South Carolina 29577
843-449-8562
Attorney for Appellants

Other Counsel of Record:

William A. Bryan, Jr.
Collins & Lacy, P.C.
11945 Grandhaven Drive, Suite D
Murrells Inlet, SC 29576
Attorney for Respondent James M. Stewart

Jay M. Bultz
Bultz Law Offices, PA
417 79th Avenue North, Suite A
Myrtle Beach, SC 29572
Attorney for Respondents Geoffrey Duerk and Kristen Duerk

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PROOF OF SERVICE


I, Allison Lazar, do hereby certify that I am an employee of THE BRITAIN LAW FIRM, P.A., attorneys for the Appellants Gregory Duerk, Donald L. Duerk, Jr. and Deborah Duerk Tiller in the above-entitled action, and that I have this 30th day of March, 2017, caused to be served upon the following parties the **Amended Notice of Appeal** by depositing a copy of same in the United States Mail, with sufficient first class postage affixed thereto, addressed as follows:

William A. Bryan, Jr.
Collins & Lacy, P.C.
11945 Grandhaven Drive, Suite D
Murrells Inlet, SC 29576

Jay M. Bultz
Bultz Law Offices, PA
417 79th Avenue North, Suite A
Myrtle Beach, SC 29572


Allison Lazar

SWORN AND SUBSCRIBED before me
this 30th day of March, 2017.


NOTARY PUBLIC FOR SOUTH CAROLINA
My Commission Expires: 3/16/25

THE BRITTAIN LAW FIRM, P.A.

ATTORNEYS AT LAW

4614 OLEANDER DRIVE

MYRTLE BEACH, SOUTH CAROLINA 29577

THOMAS C. BRITTAIN
MARY MADISON BRITTAIN LANGWAY
A. PRESTON BRITTAIN
T. CASE BRITTAIN, JR.

843-449-8562
FAX 843-497-6124
www.brittainlawfirm.com

March 30, 2017

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SC Court of Appeals

The Honorable Jenny Abbott Kitchings
Clerk, South Carolina Court of Appeals
1220 Senate Street
Columbia, South Carolina 29201

Re: Gregory Duerk, Donald L. Duerk, Jr. and Deborah Duerk Tiller v. Geoffrey Duerk,
Kristen Duerk and James M. Stewart
Appellate Case No. 2017-000471

Dear Ms. Kitchings:

Enclosed please find the original and one (1) copy of the Amended Notice of Appeal in this action. We have, in an abundance of caution, revised our Notice of Appeal in an effort to make sure it is clear that we are appealing both the Order Denying the Motion to Reconsider and the Order Granting Defendant's Motion to Dismiss.

Both Orders are referenced in the original Notice of Appeal but only the Order Denying the Motion to Reconsider was attached since it is the receipt of that Order that starts the 30-day period of time in which the appellate process must be initiated.

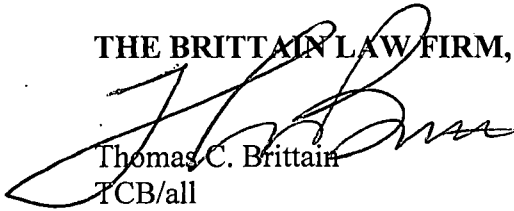
We have attached both Orders to the Amended Notice of Appeal as well as worded the Notice to make it abundantly clear that both Orders have been appealed. I would appreciate your returning the clocked-in copy to our office in the enclosed envelope.

Further, please be advised that our office received the Transcript of Record from the court reporter on March 29, 2017, thereby making Appellant's Initial Brief and Designation of Matter due on April 28, 2017.

Thank you.

With warm regards, I am
Yours truly,

THE BRITTAIN LAW FIRM, P.A.



Thomas C. Brittain
TCB/all

cc: William A. Bryan, Jr., Esquire
Jay M. Bultz, Esquire



THE BRITAIN LAW FIRM, P.A.
ATTORNEYS AT LAW
4614 OLEANDER DRIVE
MYRTLE BEACH, SOUTH CAROLINA 29577

TO:

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