

THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

RECEIVED

APPEAL FROM HORRY COUNTY
Court of Common Pleas

MAY 09 2017

The Honorable Benjamin H. Culbertson, Circuit Court Judge

SC Court of Appeals

CASE NO. 2016-CP-26-798

South Carolina Farm Bureau Mutual Insurance Company Respondent

vs.

Michael David Harrelson, Devora Harrelson, Kevin Duke
and Government Employees Insurance Company Defendants

OF WHOM:

Michael David Harrelson and Devora Harrelson are..... Appellants
and

Government Employees Insurance Company is..... Respondent

NOTICE OF MOTION
AND MOTION TO STAY

You will please take notice the undersigned moves this Court to stay the appeal in this case pending a decision by the Circuit Court on Defendant Harrelson's Motions for Reconsideration filed in the Circuit Court. The basis of this Motion is the attached Memorandum.

WHEREFORE, Appellants request this Court stay the appeal proceedings until the Circuit Court issues its decision on the Motions for Reconsideration currently pending in the Circuit Court.

KELAHER, CONNELL & CONNOR, P.C.



Gene M. Cornell, Jr. (S.C. Bar No. 1358)

The Courtyard, Suite 209

1500 U. S. Highway 17 North

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Attorney for Appellants Michael David

Harrelson and Devora Harrelson

May 2, 2017

Surfside Beach, South Carolina.

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MEMORANDUM OF LAW
IN SUPPORT OF MOTION TO STAY

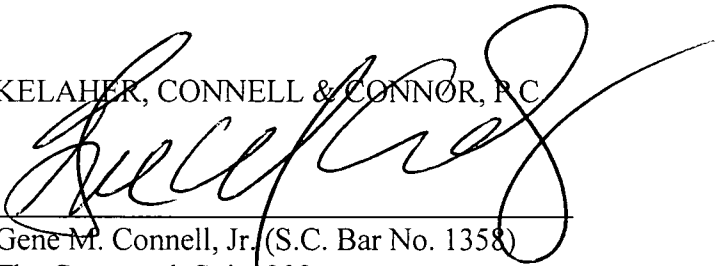
This matter is before the Court of Appeals based on Appellants' Notice of Appeal filed March 24, 2017. Appellants were concerned about the implications of two Form 4 Orders filed by the trial court granting summary judgment without stating any reasons for the grant of summary judgment. It was Appellants intent to timely file a protective Notice of Appeal based on those Form 4 Orders issued by the Circuit Court on February 27, 2017.

Subsequently, Appellants received a formal Order Granting Summary Judgment to Government Employees Insurance Company and a second formal Order Granting Summary Judgment to South Carolina Farm Bureau Mutual Insurance Company. Appellants timely moved for reconsideration of both orders pursuant to South Carolina Rule of Civil Procedure 59.

Accordingly, Appellants respectfully request this Court stay any proceedings in the Court of Appeals until the Appellants have received a decision from the Circuit Court on their Motions for Reconsideration.

Respectfully submitted,

KELAHER, CONNELL & CONNOR, P.C.



Gene M. Connell, Jr. (S.C. Bar No. 1358)
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PROOF OF SERVICE

PERSONALLY appeared before me, Shelia Y. McCumbee, who being duly sworn, deposes and says that she is an employee of Kelaher, Connell & Connor, P.C., and that she has served a copy of the **Notice of Motion and Motion to Stay and Memorandum of Law in Support** on the Respondents, on the 3 day of May, 2017, by depositing a copy of same in the United States Mail, postage prepaid, to:

J. Dwight Hudson, Esquire
Hudson & Graham Law Offices
P. O. Box 70218
Myrtle Beach, SC 29572

John E. Rogers, II, Esquire
The Ward Law Firm, P.A.
P. O. Box 5663
Spartanburg, SC 29304

William H. Monckton, VI, Esquire
Monckton, Hembree & Humphries, PA
1300 Professional Drive, Suite 102
Myrtle Beach, SC 29577

Shelia Y. McCumbee
Shelia Y. McCumbee

SWORN AND SUBSCRIBED before me,
this 3rd day of May, 2017.

Donna H. Hand
Notary Public for South Carolina
My Commission Expires: 3-28-26

KELAHER, CONNELL & CONNOR, P.C.

ATTORNEYS AT LAW

SUITE 209

THE COURTYARD

1500 U.S. HIGHWAY 17 NORTH

P.O. DRAWER 14547

SURFSIDE BEACH, SOUTH CAROLINA 29587

EDWARD T. KELAHER*
GENE M. CONNELL, JR.
L. SIDNEY CONNOR, IV
LISA POE DAVIS

* OF COUNSEL

AREA CODE 843

238-5648

FAX: 238-5050

May 2, 2017

RECEIVED

MAY 09 2017

SC Court of Appeals

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

Re: Appellate Case No. 2017-000745
South Carolina Farm Bureau Mutual Insurance Company v. Michael David Harrelson, Devora Harrelson, Kevin Duke and Government Employees Ins. Co.
C/A No. 2016-CP-26-798
Our File No. 2015-0183C

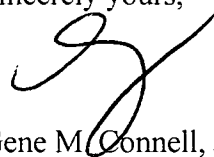
Dear Ms. Kitchings:

Enclosed please find an original and seven (7) copies of Appellants' Notice of Motion and Motion to Stay, Memorandum of Law in Support and Proof of Service in the above-captioned matter. I also enclose a check for \$25.00 for the filing fee. Please return a filed copy to me in the self-addressed, stamped envelope enclosed for your convenience.

By copy of this letter, I hereby serve a copy of the above-stated documents on counsel of record.

With best regards, I am

Sincerely yours,



Gene M. Connell, Jr.

GMC,Jr.:sm
Enclosures

cc : J. Dwight Hudson, Esquire
John E. Rogers, II, Esquire
William H. Monckton, VI, Esquire