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THE STATE OF SOUTH CAROLINA

In the Court of Appeals

APPEAL FROM YORK COUNTY

Court of Common Pleas

S. Jackson Kimball, III, Special Circuit Court Judge

RECEIVED

JUN 19 2017

SC Court of Appeals

Case No. 2016-CP-46-03212

Andy Lee Rayburn .....Respondent,

v.

David Dynast.....Appellant.

NOTICE OF APPEAL

David Dysart appeals the Order of the Honorable S. Jackson Kimball, III, dated May 23, 2017, in case number 2016-CP-46-03212, captioned Andy Lee Rayburn v. David Dynast. The order denied Appellant's motion for reconsideration of default judgment. The Honorable S. Jackson Kimball, III had entered a default judgement on March 7, 2017. In the corresponding order to

the March 7, 2017, default judgment, the Honorable S. Jackson Kimball, III requested that Attorney for Respondent change the case caption on the order from Andy Lee Rayburn v. David Dynast to Andy Lee Rayburn v. David Dysart. Appellant then filed a motion for reconsideration on March 17, 2017. The motion for reconsideration was heard on May 23, 2017, and the Honorable S. Jackson Kimball, III entered an order denying the motion for reconsideration based upon Rule 59(e) of the South Carolina Rules of Civil Procedure.

June 16, 2017



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Attorneys For Respondent

**CERTIFICATE OF SERVICE**

I certify that a copy of the foregoing document, Notice of Appeal, was served upon all counsel of Record:

- as an attachment to an electronic correspondence
- by depositing a copy of the same in an official depository of the United States mail in a postage-paid envelope
- via facsimile, or
- by hand delivery

addressed as follows:

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ATTORNEY FOR PLAINTIFF  
ANDY LEE RAYBURN

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SC Court of Appeals

This the 16<sup>th</sup> day of JUNE, 2017.



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June 16, 2017

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

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SC Court of Appeals

Re:    Andy Lee Rayburn vs. David Dynast  
      Case No.: 2016-CP-46-03212  
      Claim No.: 16-1818683

Dear Ms. Kitchings:

Enclosed for filing please find a Notice of Appeal in the above referenced case. I am enclosing our firm check in the amount of \$100.00, copies of the orders that are the subject of this appeal, and Proof of Service of this notice upon opposing counsel. I am enclosing one extra copy which I would appreciate your clocking in and returning to me in the enclosed self-addressed, stamped envelope.

Thank you for your time and attention to this matter.

**WILLSON JONES CARTER & BAXLEY, P.A.**

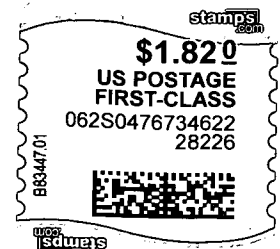
*/s/ Carrie Hailman O'Brien*

Carrie Hailman O'Brien

CHO/acw

Enclosures

cc:    J. Richards McCrae, III (w/enclosures via mail)



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