

5

THE STATE OF SOUTH CAROLINA
In The Court Of Appeals

APPEAL FROM GREENVILLE COUNTY COURT OF COMMON PLEAS

HONORABLE CHARLES B. SIMMONS, CIRCUIT COURT JUDGE

CASE NO. 2012-CP-23-04064
Appellant Case No. 2015-001909

RECEIVED

JUL 18 2017

SC Court of Appeals

Piedmont Natural Gas Company, Inc.....Appellant,

v.

Richeous Smith, Worthy Smith a/k/a Worley Smith, Pearl Terry, Ethel Butler, Tweety Smith a/k/a Tweety Smith Harris, Doreth Smith, Fletcher Lee Harris, Alma Williams Smith, James R. Smith, Loree Smith, Gene A. Smith, Adolf Smith, Janie Sue Smith, Samuel Paul Smith, Ruby Smith Mansell, Buford Mansell, Ethel Mae Smith, Wilson Smith, Patrick R. Smith, Reginald Lamont Smith, Eric Smith, Christine Smith Dawkins, William G. Dawkins, Alma Renee Smith Murry, Sharai Smith Brock, Robert Lee Smith, Melissa F. Smith, Rosalyn Annette Steven, Edith Smith Foster, George Waymon Foster, Bridgette Smith Blassingame, Tara Smith, Waymon Odell Smith, Martha Miller Smith, Calvin Lee Smith, Reece W. Smith, Raymond Eddie Smith, Michael Smith, Odell Smith, Dorothy Smith Pearson, Gary Pearson, Jerome Smith, Jaygo Terry, Ida Terry, Mack Terry, Zone Terry, Leola Terry Smith, James Smith, J.P. Terry, David Brayvell Terry, Ettie Pearl Booker, Tecora O. Terry Mason, Odell Mason, Lenora Holley, Dorothy Terry Sheppard, Orangelee Sheppard, Vernon Sheppard, Kasandra Sheppard Jenkins, Karen Sheppard Spates, Theodore Terry, Sr., Gracie Terry, Kelvin F. Terry, Theodore Terry, Jr., Keith Terry, Leola Terry Daniels, Wilford Daniels, Terrance Leslie, Sr., Derrick McGee, Jr., Fred Smith, Jr., Mannell Terry, Patricia Terry, Sheila Terry, Barbara Evans, Leonard Evans, Linda Evans, Thomas Evans, Johnny R. Williams, Connie Evans, Michael Evans, Iola Terry Cox, William Henry Cox, Johnny F. Cox, Joyce A. Smith, Anthony Cox, Alfred Cox, J. Henry Cox, Charlette J. Cox, Charles J. Cox, Michael Cox, Supearl Terry Gilliam a/k/a Supearl Terry Gilliam Miranda, Eugene Gilliam, Terry Gilliam, Jerry Gilliam, Warren Gilliam, Eugene Gilliam, Jr., Melvin Gilliam, Rodney Gilliam, Cindy Gilliam, Shakima Gilliam, Carmella Cottom, Nina Gilliam, Vermell Gilliam Phillips, Shaynise Alston, John Gilliam, Donald Gilliam, Sr., Leunette Gilliam, Donnette Gilliam

Ortchere, Leslie Gilliam Peter, Angela Gilliam, Donald E. Gilliam, Raymond T. Gilliam, Juan Miranda, Carmen Miranda a/k/a Carmen Miranda Glavin, John Glavin, Sr., John Glavin, Jr., Miranda Glavin, Jeffrey Glavin, Yolanda Glavin, Ezell Terry, Magaline Terry, Leroy Terry, Kenneth Terry, James (Jimmy) Terry, Pearlle Mae Terry, Winnie L. Terry Anderson, Furman Anderson, Tommy Anderson, Abigail Dodd, Angela Reid, Sandra McDowell, Harold Anderson, Mary Ann Davis, Charlene Peake, Albert Anderson, Paul Terry, Betty Jo Terry, Donald E. Terry, Deloris I. Terry, Paul A. Terry, Mark G. Terry, Terry Sholer, Jamie Terry, James O.C. Smith, Pauline Smith, Gloria Gore, Paul Smith, Ethel Allen, Desiree Golden, Pauline Workman, Brenda Moulhem, and if any of the aforementioned be deceased; then their heirs, successors, devisees, distributees, Administrators, Executors and Personal Representatives, and any party claiming by or through them, Landowners,

and

The United States of America, acting by and through its agency, the Internal Revenue Service, The United States of America, acting by and through its agency the United States Department of Justice, The South Carolina Department of Revenue, The South Carolina Department of Mental Health, The State of South Carolina, Bullhead Investments, LLC, Arrow Financial Services, LLC, Sharonview Federal Credit Union, Discover Bank, Zachery Arnold, GE Commercial Finance Business Property Corporation, Midland Funding, LLC, and Greenville County, Other Condemnees,

and

John Doe and Mary Roe, being fictitious names used to represent all persons and condemnees whose true names are not known, including the heirs, successors, devisees, distributees, Administrators, Executors and Personal Representatives of any of the abovenamed Landowners and Other Condemnee who may be deceased; and also all Condemnees whose names are not known, including heirs, infants, persons under disability and persons who may be in Military service, who claim, or may claim, an interest in the property being condemned, and also all other persons unknown, claiming any right, title, estate, interest in or lien upon the real estate described in the Condemnation Notice and Tender of Payment herein, said property being identified as a portion of Greenville County Tax Map Numbers 053101010200 and 0531010102101, Unknown Claimants,

Of whom Ethel Allen, Shaynise Alson, Harold Anderson, Tommy Anderson, Bridgette Smith Blassingame, Sharai Smith Brock, Carmepa Cottom, Alfred Cox, Mary Ann Davis, William G. Dawkins, Abigail Dodd, Linda Evans, Michael Evans, Thomas Evans, Chavonte Gilliam, Cindy Gilliam, Derrick Gilliam, Donald E. Gilliam, Jr., John L. Gilliam, Lakisha Gilliam, Latonya Gilliam, Leunette Gilliam,

Mattie M. Gilliam, Nina Gilliam, Raymond TI Gilliam, Rodney Gilliam, Shakima Gilliam, Warren Gilliam, Desiree Golden, Gloria Gore, Lenora Holley, Kasandra Sheppard Jenkins, Terrance Leslie, Sr., Sandra McDowell, Derrick McGee, Jr., Brenda Moulhem, Alma Rene Smith Murry, Charlene Peake, Leslie Gilliam Peter, Angela Reid, Orangelee Sheppard, Vernon Lee Sheppard, Charles Terry Sholer, Calvin Smith, Eric Smith, Fred Smith, Jr., Gene A. Smith, James R. Smith, Joyce A. Smith, Loree Smith, Martha Miller Smith, Patrick Smith, Paul Smith, Reginald Lamont Smith, Tara Smith, Karen Regenia Spates, Rosalyn Annette Steven, Betty Jo Terry, Donald E. Terry, Deloris I. Terry, Gracie Terry, Jamie Terry, Keith Terry, Kelvin F. Terry, Leroy Terry, Mark G. Terry, Paul Terry, Jr., Theodore Terry, Jr., Porsha Williams, and Pauline Workman are the... Respondents/Appellants,

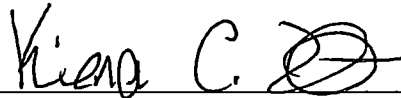
and

Unknown landowners, Reece W. Smith, Raymond Eddie Smith, Michael Smith, Odell Smith, United States of America and the United States of America, acting by and through its Agency, the Internal Revenue Service, Midland Funding, LLC, Sharonview Federal Credit Union, SC Department of Revenue, County of Greenville, Arrow Financial Services, LLC, SC Dept. of Mental Health, SC Attorney General, and Bullhead Investments, LLC, Zachery Arnold, Ettie Pearl Booker, Ira K. Carol, Johnny F. Cox, Wilford Daniels, Angela Gilliam, Bianca S. Gilliam, Demetrius J. Gilliam, Jerry Gilliam, Kehimonnie S. Gilliam, Terry Gilliam, John Glavin, Jr., John Glavin, Sr. Jeffrey Glavin, Miranda Glavin, Yolanda Glavin, Terrance Leslie, Terrell Leslie, Tearia Leslie, Donnette Ortchere, Jerome Smith, Melissa F. Smith, Michael Smith, James (Jimmy) Terry, Patricia Terry, Pearlie Mae Terry, and Sheila Terry..... Respondents.

NOTICE OF APPEARANCE

PLEASE TAKE notice that in compliance with Rule 265(c), SCACR, Kiera C. Dillon does hereby request to be added as Counsel of Record for the Respondent, South Carolina Department of Revenue. Motion has been filed to remove Milton G. Kimpson and Tasha B. Thompson as attorney of record in this matter.

Respectfully submitted,



Kiera C. Dillon (Bar No. 79891)
Counsel for Litigation
Sean G. Ryan (Bar No. 76585)
Managing Counsel for Litigation
Jason P. Luther (Bar No. 78021)
Post Office Box 12265
Columbia, South Carolina 29211-9979
Phone: (803) 898-5231
Fax: (803) 896-0171
Attorney for S.C. Department of Revenue
Kiera.Dillon.thompson@dor.sc.gov
courtorders@dor.sc.gov

Columbia, South Carolina
July 17, 2017

THE STATE OF SOUTH CAROLINA
In The Court Of Appeals

APPEAL FROM GREENVILLE COUNTY COURT OF COMMON PLEAS

HONORABLE CHARLES B. SIMMONS, CIRCUIT COURT JUDGE

CASE NO. 2012-CP-23-04064
Appellant Case No. 2015-001909

RECEIVED

JUL 18 2017

SC Court of Appeals

Piedmont Natural Gas Company, Inc.....Appellant,

v.

Richeous Smith, Worthy Smith a/k/a Worley Smith, Pearl Terry, Ethel Butler, Tweety Smith a/k/a Tweety Smith Harris, Doreth Smith, Fletcher Lee Harris, Alma Williams Smith, James R. Smith, Loree Smith, Gene A. Smith, Adolf Smith, Janie Sue Smith, Samuel Paul Smith, Ruby Smith Mansell, Buford Mansell, Ethel Mae Smith, Wilson Smith, Patrick R. Smith, Reginald Lamont Smith, Eric Smith, Christine Smith Dawkins, William G. Dawkins, Alma Renee Smith Murry, Sharai Smith Brock, Robert Lee Smith, Melissa F. Smith, Rosalyn Annette Steven, Edith Smith Foster, George Waymon Foster, Bridgette Smith Blassingame, Tara Smith, Waymon Odell Smith, Martha Miller Smith, Calvin Lee Smith, Reece W. Smith, Raymond Eddie Smith, Michael Smith, Odell Smith, Dorothy Smith Pearson, Gary Pearson, Jerome Smith, Jaygo Terry, Ida Terry, Mack Terry, Zone Terry, Leola Terry Smith, James Smith, J.P. Terry, David Brayvell Terry, Ettie Pearl Booker, Tecora O. Terry Mason, Odell Mason, Lenora Holley, Dorothy Terry Sheppard, Orangelee Sheppard, Vernon Sheppard, Kasandra Sheppard Jenkins, Karen Sheppard Spates, Theodore Terry, Sr., Gracie Terry, Kelvin F. Terry, Theodore Terry, Jr., Keith Terry, Leola Terry Daniels, Wilford Daniels, Terrance Leslie, Sr., Derrick McGee, Jr., Fred Smith, Jr., Mannell Terry, Patricia Terry, Sheila Terry, Barbara Evans, Leonard Evans, Linda Evans, Thomas Evans, Johnny R. Williams, Connie Evans, Michael Evans, Iola Terry Cox, William Henry Cox, Johnny F. Cox, Joyce A. Smith, Anthony Cox, Alfred Cox, J. Henry Cox, Charlette J. Cox, Charles J. Cox, Michael Cox, Supearl Terry Gilliam a/k/a Supearl Terry Gilliam Miranda, Eugene Gilliam, Terry Gilliam, Jerry Gilliam, Warren Gilliam, Eugene Gilliam, Jr., Melvin Gilliam, Rodney Gilliam, Cindy Gilliam, Shakima Gilliam, Carmella Cottom, Nina Gilliam, Vermell Gilliam Phillips, Shaynise Alston, John Gilliam, Donald Gilliam, Sr., Leunette Gilliam, Donnette Gilliam

Ortchere, Leslie Gilliam Peter, Angela Gilliam, Donald E. Gilliam, Raymond T. Gilliam, Juan Miranda, Carmen Miranda a/k/a Carmen Miranda Glavin, John Glavin, Sr., John Glavin, Jr., Miranda Glavin, Jeffrey Glavin, Yolanda Glavin, Ezell Terry, Magaline Terry, Leroy Terry, Kenneth Terry, James (Jimmy) Terry, Pearlle Mae Terry, Winnie L. Terry Anderson, Furman Anderson, Tommy Anderson, Abigail Dodd, Angela Reid, Sandra McDowell, Harold Anderson, Mary Ann Davis, Charlene Peake, Albert Anderson, Paul Terry, Betty Jo Terry, Donald E. Terry, Deloris I. Terry, Paul A. Terry, Mark G. Terry, Terry Sholer, Jamie Terry, James O.C. Smith, Pauline Smith, Gloria Gore, Paul Smith, Ethel Allen, Desiree Golden, Pauline Workman, Brenda Moulhem, and if any of the aforementioned be deceased; then their heirs, successors, devisees, distributees, Administrators, Executors and Personal Representatives, and any party claiming by or through them, Landowners,

and

The United States of America, acting by and through its agency, the Internal Revenue Service, The United States of America, acting by and through its agency the United States Department of Justice, The South Carolina Department of Revenue, The South Carolina Department of Mental Health, The State of South Carolina, Bullhead Investments, LLC, Arrow Financial Services, LLC, Sharonview Federal Credit Union, Discover Bank, Zachery Arnold, GE Commercial Finance Business Property Corporation, Midland Funding, LLC, and Greenville County, Other Condemnees,

and

John Doe and Mary Roe, being fictitious names used to represent all persons and condemnees whose true names are not known, including the heirs, successors, devisees, distributees, Administrators, Executors and Personal Representatives of any of the above named Landowners and Other Condemnee who may be deceased; and also all Condemnees whose names are not known, including heirs, infants, persons under disability and persons who may be in Military service, who claim, or may claim, an interest in the property being condemned, and also all other persons unknown, claiming any right, title, estate, interest in or lien upon the real estate described in the Condemnation Notice and Tender of Payment herein, said property being identified as a portion of Greenville County Tax Map Numbers 053101010200 and 0531010102101, Unknown Claimants,

Of whom Ethel Allen, Shaynise Alson, Harold Anderson, Tommy Anderson, Bridgette Smith Blassingame, Sharai Smith Brock, Carmepa Cottom, Alfred Cox, Mary Ann Davis, William G. Dawkins, Abigail Dodd, Linda Evans, Michael Evans, Thomas Evans, Chavonte Gilliam, Cindy Gilliam, Derrick Gilliam, Donald E. Gilliam, Jr., John L. Gilliam, Lakisha Gilliam, Latonya Gilliam, Leunette Gilliam,

Mattie M. Gilliam, Nina Gilliam, Raymond TI Gilliam, Rodney Gilliam, Shakima Gilliam, Warren Gilliam, Desiree Golden, Gloria Gore, Lenora Holley, Kasandra Sheppard Jenkins, Terrance Leslie, Sr., Sandra McDowell, Derrick McGee, Jr., Brenda Moulhem, Alma Rene Smith Murry, Charlene Peake, Leslie Gilliam Peter, Angela Reid, Orangelee Sheppard, Vernon Lee Sheppard, Charles Terry Sholer, Calvin Smith, Eric Smith, Fred Smith, Jr., Gene A. Smith, James R. Smith, Joyce A. Smith, Loree Smith, Martha Miller Smith, Patrick Smith, Paul Smith, Reginald Lamont Smith, Tara Smith, Karen Regenia Spates, Rosalyn Annette Steven, Betty Jo Terry, Donald E. Terry, Deloris I. Terry, Gracie Terry, Jamie Terry, Keith Terry, Kelvin F. Terry, Leroy Terry, Mark G. Terry, Paul Terry, Jr., Theodore Terry, Jr., Porsha Williams, and Pauline Workman are the... Respondents/Appellants,

and

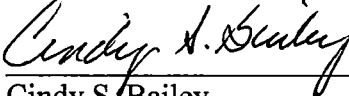
Unknown landowners, Reece W. Smith, Raymond Eddie Smith, Michael Smith, Odell Smith, United States of America and the United States of America, acting by and through its Agency, the Internal Revenue Service, Midland Funding, LLC, Sharonview Federal Credit Union, SC Department of Revenue, County of Greenville, Arrow Financial Services, LLC, SC Dept. of Mental Health, SC Attorney General, and Bullhead Investments, LLC, Zachery Arnold, Ettie Pearl Booker, Ira K. Carol, Johnny F. Cox, Wilford Daniels, Angela Gilliam, Bianca S. Gilliam, Demetrius J. Gilliam, Jerry Gilliam, Kehimonnie S. Gilliam, Terry Gilliam, John Glavin, Jr., John Glavin, Sr. Jeffrey Glavin, Miranda Glavin, Yolanda Glavin, Terrance Leslie, Terrell Leslie, Tearia Leslie, Donnette Ortchere, Jerome Smith, Melissa F. Smith, Michael Smith, James (Jimmy) Terry, Patricia Terry, Pearlie Mae Terry, and Sheila Terry..... Respondents.

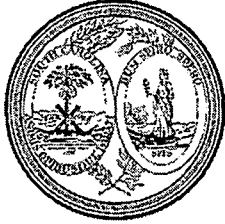
—————
PROOF OF SERVICE
—————

I, Cindy S. Bailey, do hereby certify that I have caused to be mailed postage pre-paid, a copy of the Department’s Notice of Appearance to Add Counsel of Record in re: Piedmont Natural Gas Company, Inc. vs. Richeous Smith, et al., Appellate Case No. 2015-001909, to Alan Lance Crick, Esquire, 55 Beattie Place, Ste. 700, Greenville SC 29601, Mr. Wylie Westmoreland Clarkson, Esquire, PO Box 287, Columbia SC 29202, Mr. Charles Nathaniel Griffin, III, Esquire, PO Box 19766, Raleigh NC 27619, Mr. Jeffrey D. Wile, Esquire, 301 University Ridge, Ste. 2400, Greenville SC 29601-3681,

Mr. David B. Ward, Esquire, 307 Pettigru Street, Greenville SC 29601, Ms. Erin Culbertson, Esquire, 114 Manly St., Greenville SC 29601, Richard L. Jackson, Esquire, 101 South Edgeworth Street, Suite 300, Greensboro NC 27401, Ms. Kelley Yarborough Woody, Esquire, PO Box 6432, Columbia SC 29260, Mr. Trace M. Dillon, Esquire, 2346 Wisteria Drive, Suite 220, Snellville GA 30078, Mr. Ahmad Shariyf Washington, Esquire, 4212 Poplar Grove Drive, Charlotte NC 28269, Mr. Paul Andrew McKee, III, Esquire, PO Box 2196, 409 Magnolia Street, Spartanburg SC 29304-2196, South Carolina Department of Mental Health, c/o John Magill, 2414 Bull Street, Columbia SC 29202, Discover Bank, c/o CT Corporation, 2 Office Park Court Ste. 103, Columbia SC 29223, GE Commercial Finance Business Property Corporation, c/o CT Corporation, 2 Office Park Court, Ste. 103, Columbia SC 29223, Jerome Smith, 232 Sunnyglenn Dr., Greer SC 29651, Ettie Pearl Booker, 21 Cotswold Terrace, Taylors SC 29687, Wilford Daniels, 144 Sweet Ave., Buffalo NY 14212, Terrance Leslie, Jr., 204 Herman St., Buffalo NY 14211, Terrell Leslie, Sr., 204 Herman St., Buffalo NY 14211, Teaira Leslie, 204 Herman St., Buffalo NY 14211, Terry Gilliam, 47 Myers St., Buffalo NY 14211, Jerry Gilliam, 5 Myers St., Buffalo NY 14211, Ira K. Carol, 1348 Cochran Crossing, McDonough GA 30252, Demetrius J. Gilliam, 4328 Thyme Ave., Las Vegas NV 89910, Kehiminnie S. Gilliam, 4328 Thyme Ave., Las Vegas NV 89910, Bianca S. Gilliam, 4328 Thyme Ave., Las Vegas NV 89910, Donnette Gilliam Ortchere, 444 Emslie Street, Buffalo NY 14212, Angela Gilliam, 445 Emslie St., Buffalo NY 14212, John Glavin, Sr., 21 Murray Terrace, Tonawanda NY 14150, John Glavin, Jr., 196 Moore St., Tonawanda NY 14150, Miranda Glavin, 21 Murray Terrace, Tonawanda NY 14150, Jeffrey Glavin, 21

Murray Terrace, Tonawanda NY 14150, Yolanda Glavin, 21 Murray Terrace,
Tonawanda NY 14150, James (Jimmy) Terry, 105 Bailey Rd., Greer SC 29651, Pearlie
Mae Terry, PO Box 6942, Greenville SC 29606, and Zachery Arnold, 460 Durham
Rd., Greer SC 29650 on this 17th day of July, 2017.


Cindy S. Bailey



STATE OF SOUTH CAROLINA
DEPARTMENT OF REVENUE

300A Outlet Pointe Blvd., Columbia, South Carolina 29210
P.O. Box 12265, Columbia, South Carolina 29211-9979

July 17, 2017

RECEIVED

JUL 18 2017

SC Court of Appeals

The Honorable Jenny Abbott Kitchings
Clerk of Court
South Carolina Court of Appeals
1015 Sumter Street-5th Floor
Columbia, SC 29201

Re: Piedmont Natural Gas Company, Inc. vs. Richeous Smith, et al.
Appellate Case No. 2015-001909

Dear Ms. Kitchings:

Please find enclosed the South Carolina Department of Revenue's Notice of Appearance to Add Counsel of Record along with Proof of Service.

Should you have any questions, please do not hesitate to contact me at 803-898-5213 or Kiera.Dillon@dor.sc.gov.

Sincerely,

OFFICE OF GENERAL COUNSEL FOR LITIGATION

A handwritten signature in black ink that reads "Kiera C. Dillon" followed by a stylized flourish.

Kiera C. Dillon
Counsel for Litigation

c:
Kevin A. Dunlap, Esquire
Alan L. Crick, Esquire
Wylie W. Clarkson, Esquire
Charles N. Griffin, III, Esquire
Jeffrey Wile, Esquire
David Ward, Esquire
Erin Culbertson, Esquire
Richard Jackson, Esquire
Kelley Y. Woody, Esquire
Trace Dillon, Esquire
Ahmad S. Washington, Esquire

Paul A. McKee, III, Esquire
SC Department of Mental Health, c/o John Magill
Discover Bank, c/o CT Corporation
GE Commercial Finance Business Property Corp., c/o CT Corporation
Jerome Smith
Ettie P. Booker
Wilford Daniels
Terrance Leslie, Jr.
Terrance Leslie, Sr.
Teaira Leslie
Terry Gilliam
Jerry Gilliam
Ira Carol
Demetrius Gilliam
Kehiminnie Gilliam
Bianca Gilliam
Donnette G. Ortchere
Angela Gilliam
John Glavin, Sr.
John Glavin, Jr.
Miranda Glavin
Jeffrey Glavin
Yolanda Glavin
James (Jimmy) Terry
Pearlie M. Terry
Zachery Arnold

Enclosures
KD:csb

**SOUTH CAROLINA
DEPARTMENT OF REVENUE
300 A OUTLET POINTE BLVD.
PO BOX 12265
COLUMBIA SC 29211-9979**



The Honorable Jenny Abbott Kitchings
Clerk of Court
South Carolina Court of Appeals
1015 Sumter Street-5th Floor
Columbia, SC 29201