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THE STATE OF SOUTH CAROLINA

In The Court of Appeals

APPEAL FROM SPARTANBURG COUNTY  
Court of Common Pleas

J. Derham Cole, Circuit Court Judge

Case No. 2016-CP-42-03288

**RECEIVED**  
OCT 10 2017  
SC Court of Appeals

Elizabeth Earley, John Earley,  
Lloyd Wilkins, Henry Kerns,  
Marie Mills Kerns, Donna  
Pearson, and Bruce Pearson,

Appellant,

v.

The City of Woodruff, SC,  
and the Terraces at Woodruff, a  
South Carolina Limited Liability  
Company,

Respondent.

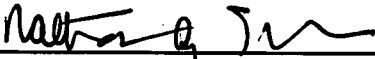
**NOTICE OF APPEAL**

Elizabeth Earley, John Earley, Lloyd Wilkins, Henry Kerns, Margie Mills Kerns, Donna Pearson, and Bruce Pearson, appeal the orders of the Honorable J. Derham Cole dated May 24, 2017, and October 5, 2017. The Appellants previously appealed the May 24, 2017 order, Appellate Case # 2017-001418; however, that appeal was dismissed on August 1, 2017, pending the disposition of the Appellants' motion to reconsider. Appellant received written notice of entry of the October 5 order, denying their motion to reconsider, on October 5, 2017.

[The next page is the signature page.]

Respectfully submitted,

October 6, 2017

  
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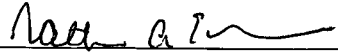
CERTIFICATE OF SERVICE

The Notice of Appeal in the above-referenced matter was served upon the following parties on October 6, 2017, via first class U.S. mail.

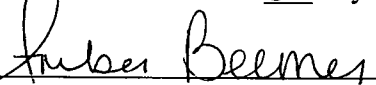
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\_\_\_\_\_  
Nathan A. Earle

Sworn to before me this 0<sup>th</sup> day of October, 2017,

  
\_\_\_\_\_  
Notary Public for South Carolina

My Commission Expires: April 13, 2026



Nathan A. Earle

Attorney at Law | Certified Mediator

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October 6, 2017

South Carolina Court of Appeals  
P.O. Box 11629  
Columbia, SC 29211

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OCT 10 2017

**SC Court of Appeals**

RE: Earley, et al. v. City of Woodruff, et al.  
[Prior Appellate Case # 2017-001418]

Dear Sir/Madam:

Please find enclosed the original and one copy of the Notice of Appeal in the above-referenced matter, with certificate of service.

I have also enclosed a copy of the transcript request letter which was mailed to Linda Moffitt on October 6, 2017 (Appellants are already in possession of the hearing transcript relating to the earlier order), and a copy of the October 5, 2017, order. The May 24, 2017 order, was received by the Court of Appeals on June 26, 2017. Please refer to appellate file # 2017-001418.

I can be reached at (864) 915-5228 with any questions about this filing.

Sincerely,

Nathan A. Earle



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