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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, Master-In-Equity/Special Circuit Court Judge

Case No. 2016-CP-46-01911

RECEIVED

OCT 26 2017

Appellant, **SC Court of Appeals**

Macallister Machinery
Company, Inc.,

v.

Peter M. Kearns, III,

Respondent.

NOTICE OF APPEAL

Macallister Machinery Company, Inc. appeals the following order of the Honorable S. Jackson Kimball dated September 29, 2017:

- Order denying Plaintiff's Rule 59(e), SCRPC Motion to Alter and/or Amend the March 10, 2017 ruling dismissing Plaintiff's pending action.

Appellant received written notice of entry of the order denying the Motion to Alter and/or Amend on October 4, 2017.

PARNELL & PARNELL, P.A.

BY: 

Amanda M. Scott
SC Bar No.: 73080
Post Office Box 743
White Rock, South Carolina 29177
(866) 629-0912
Ascott@parnellse.com
Attorney for the Appellant

October 25, 2017

Defendant, *Pro Se*:

Peter M. Kearns, III
583 Brookhaven Dr.
Fort Mill, South Carolina 29078

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APPEAL FROM YORK COUNTY
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Appellant,

v.

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Respondent.

PROOF OF SERVICE

I certify that I have served the Notice of Appeal on Peter M. Kearns, III by depositing a copy of it in the United States Mail, postage prepaid, on October 25, 2017, addressed to 583 Brookhaven Drive, Fort Mill, South Carolina 29078.

PARNELL & PARNELL, P.A.

BY: 

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Attorney for the Appellant

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October 25, 2017

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

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SC Court of Appeals

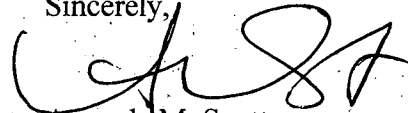
RE: Macallister Machinery Company, Inc., Appellant v. Peter M. Kearns, III,
Respondent
Docket No. 2016-CP-46-01911

Dear Ms. Kitchings:

Enclosed for filing is a notice of appeal in the above case. Also enclosed are the following:

- (1) Proof of service of the notice of appeal on the Respondent.
- (2) A copy of the Order which is to be challenged on appeal.
- (3) A filing fee of \$100.

Sincerely,



Amanda M. Scott
Post Office Box 743
White Rock, South Carolina 29177
(866) 629-0912
Ascott@parnellsoutheast.com
Attorney for the Appellant

cc: Peter M. Kearns, III *pro se*
S.C. Court Administration

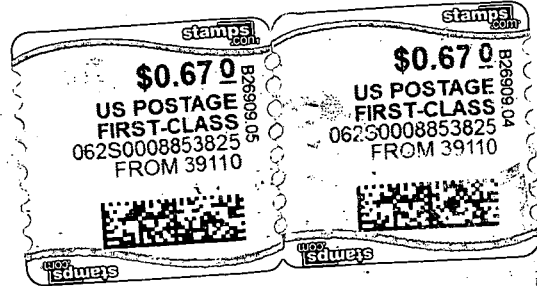
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The Honorable Jerry Abbott Kitchings
South Carolina Court of Appeals
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