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STATE OF SOUTH CAROLINA
In the Supreme Court

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S.C. SUPREME COURT

APPEAL FROM GREENVILLE COUNTY
Court of Common Pleas
Edward W. Miller, Circuit Court Judge

Case Nos.: 2013-CP-23-05102 and 2013-CP-23-01810

Ronald J. Ferguson,

Appellant

vs.

Mill Creek, LP, John D. Hatcher, Rachel Shaluly,
James F. Gilbert, Molly A. Miller, and Michael
Stehney, individually and as members of the
Architectural Committee of Mill Creek Estates,

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SC Court of Appeals

Respondents.

MOTION TO DISMISS

The Respondents, John D. Hatcher, Rachel Shaluly, James F. Gilbert, Molly A. Miller and Michael Stehney, individually and as members of the Architectural Committee of Mill Creek Estates, come by and through the Court through counsel and request the Court to dismiss the second case being 2013-CP-23-01810 since it has nothing to do with the appeal of the Order in 2013-CP-23-05102.

Without addressing the jurisdiction, merits or propriety of the Notice of Appeal, these Respondents request that this action be dismissed with regard to the case referenced above, 2013-CP-23-01810. This 2013 case he appealed deals only with the case 2013-CP-23-05102. That is the Order that the Appellant is attempting to appeal.

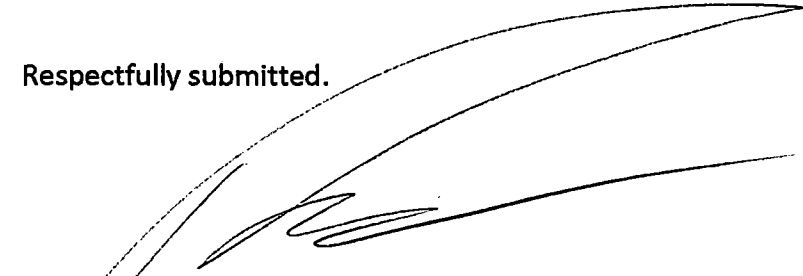
Case Number 2013-CP-23-01810 is a 2013 case that this Appellant continues to frustrate all bounds of legality and justice in keeping it from getting to trial. In fact, discovery has not even been completed. The Appellant has appealed the case 2013-CP-23-01810 twice with it being returned both times with the appeal being dismissed both times. The Appellant has removed it to Federal Court twice and an appeal to the Fourth Circuit. The Federal Court has told the Appellant to never come back to Federal Court again. The Appellant is trying to frustrate justice again by preventing this case from being addressed at the Circuit Court level by including it in this appeal.

Secondly in case 2013-CP-23-05102, the Court of Appeals dismissed his appeal regarding the Motion to Intervene in Appellate Case No. 2015-000593 with a decision being filed on March 22, 2017. A copy is attached.

Accordingly, the Respondents request that this appeal be dismissed immediately with regard to case no. 2013-CP-23-01810. A hearing is scheduled in the case no. 2013-CP-23-01810

for February 20, 2018 for sanctions against the Appellant, and he is trying to prevent the hearing from occurring.

Respectfully submitted.



Rodney M. Brown SC Bar #000953
Attorney for Respondents, John D. Hatcher,
Rachel Shaluly, James F. Gilbert, Molly A. Miller and
Michael Stehney, individually and as members of the
Architectural Committee of Mill Creek Estates
210 S. Main Street
Fountain Inn, SC 29644
(864) 862-2528

January 31, 2018

**THIS OPINION HAS NO PRECEDENTIAL VALUE. IT SHOULD NOT BE
CITED OR RELIED ON AS PRECEDENT IN ANY PROCEEDING
EXCEPT AS PROVIDED BY RULE 268(d)(2), SCACR.**

**THE STATE OF SOUTH CAROLINA
In The Court of Appeals**

Ronald J. Ferguson, Appellant,

v.

Mill Creek, LP, Respondent.

Appellate Case No. 2015-000593

Appeal From Greenville County
J. Cordell Maddox, Jr., Circuit Court Judge

Unpublished Opinion No. 2017-UP-126
Submitted March 1, 2017 – Filed March 22, 2017

APPEAL DISMISSED

Ronald J. Ferguson, of Piedmont, pro se.

Rodney M. Brown, of Rodney M. Brown, P.A., of
Fountain Inn, for Respondent.

PER CURIAM: Dismissed pursuant to Rule 220(b), SCACR, and the following authority: *Duncan v. Gov't Employees Ins. Co.*, 331 S.C. 484, 486, 449 S.E.2d 580, 580 (1994) ("[A]n order granting a motion to intervene is not immediately appealable.").

APPEAL DISMISSED.¹

GEATHERS, MCDONALD, and HILL, JJ., concur.

¹ We decide this case without oral argument pursuant to Rule 215, SCACR.

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APPEAL FROM GREENVILLE COUNTY
Court of Common Pleas
Edward W. Miller, Circuit Court Judge

S.C. SUPREME COURT

Case Nos.: 2013-CP-23-05102 and 2013-CP-23-01810

Ronald J. Ferguson,

Appellant

vs.

Mill Creek, LP, John D. Hatcher, Rachel Shaluly,
James F. Gilbert, Molly A. Miller, and Michael
Stehney, individually and as members of the
Architectural Committee of Mill Creek Estates,

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SC Court of Appeals

Respondents.

CERTIFICATE OF SERVICE

The undersigned employee of Rodney M. Brown, P.A., counsel for John D. Hatcher, Rachel Shaluly, James F. Gilbert, Molly A. Miller and Michael Stehney, individually and as members of the Architectural committee of Mill Creek Estates, does hereby certify that service of the Motion to Dismiss was made upon Appellant by placing one copy in the United States Mail, first class postage prepaid, at the below listed address clearly indicated on said envelope this 1st day of February, 2018.

Ronald J Ferguson
103 Mill Creek Road
Piedmont SC 29673


Annette M. Lay

RODNEY M. BROWN PA
ATTORNEY AT LAW

January 31, 2018

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SC Court of Appeals

South Carolina Supreme Court
Post Office Box 11330
Columbia, South Carolina 29211

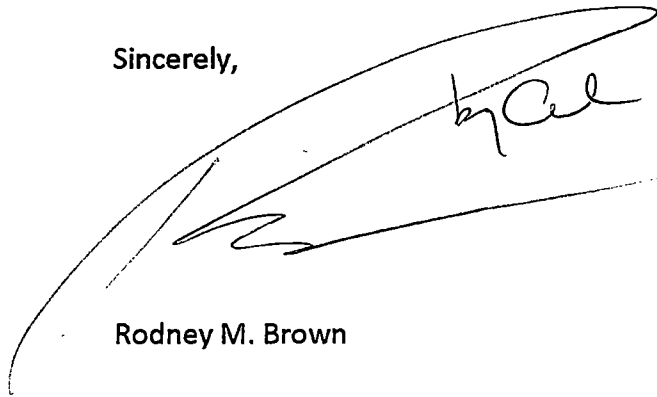
RE: Ronald J. Ferguson vs. Mill Creek, LP, John D. Hatcher, Rachel Shaluly, James F. Gilbert, Molly A. Miller and Michael Stehney, individually and as members of the Architectural Committee of Mill Creek Estates; 2013-CP-23-05102 and 2013-CP-23-01810

Dear Sir or Madam:

Enclosed herein please find a Motion to Dismiss regarding the Notice of Appeal sent in the above-referenced cases.

If you should have any questions, please do not hesitate to contact me.

Sincerely,



Rodney M. Brown

aml

Enclosures

cc: Ronald J. Ferguson

✓

RODNEY M. BROWN, PA
ATTORNEY AT LAW
10 S. Main Street • Fountain Inn, South Carolina 29644

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SC Court of Appeals

COA

