

85945

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

APPEAL FROM CHARLESTON COUNTY  
Court of Common Pleas

Mikell R. Scarborough, Master-in-Equity

Case No.: 2016-CP-10-06750

RECEIVED  
FEB 20 2018  
SC Court of Appeals

Charles Kelley a/k/a Charles E. Kelley and  
Deborah Kelley a/k/a Deborah L. Kelley,

.....Appellants,

v.

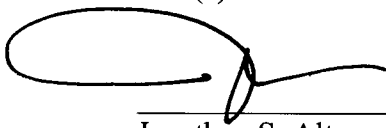
Seabrook Island Property Owners Association,  
Mortgage Electronic Registration Systems, Inc.,  
its successors and assigns, as nominee for  
Chase Mortgage Company, its successors and assigns,  
a Delaware corporation, Spinnaker Beach House Owners Association,  
and 749 Spinnaker, LLC,

.....Respondents.

NOTICE OF APPEAL

Charles Kelley a/k/a Charles E. Kelley and Deborah Kelley a/k/a Deborah L. Kelley (hereinafter "Appellants") appeal the order of The Honorable Mikell R. Scarborough, Master in Equity for Charleston County, dated December 13, 2017. Appellants received notice of the entry of this order on December 28, 2017 and filed a motion for reconsideration pursuant to SCRCP Rule 59(e). This motion was denied on February 12, 2018.

February 15, 2018



Jonathan S. Altman, Esquire  
Dorfner & Altman, LLC  
575 King Street, Suite B  
Charleston, SC 29403

*Attorney for Appellants*

Kristin Nichols, Esquire  
Turner Padgett Graham & Laney, PA  
P.O. Box 22129  
Charleston, SC 29413

*Attorney for Seabrook Island Property Owners Association*

Hal E. Cobb, Esq.  
Cobb, Dill & Hammett, LLC  
300 W. Coleman Blvd. #106  
Mt. Pleasant, SC 29464

*Attorney for 749 Spinnaker, LLC*

Stephanie C. Trotter, Esq.  
McCabe Trotter & Beverly, PC  
P.O. Box 212069  
Columbia, SC 29221

*Attorney for Spinnaker Beach House Owners Association*

Louise M. Johnson, Esq.  
Scott and Corley, PA  
P.O. Box 2065  
Columbia, SC 29202

*Attorney for Mortgage Electronic Registration Systems, Inc., its successors and assigns, as nominee for Chase Mortgage Company, its successors and assigns, a Delaware Corporation*

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

APPEAL FROM CHARLESTON COUNTY  
Court of Common Pleas

Mikell R. Scarborough, Master-in-Equity

Case No.: 2016-CP-10-06750

**RECEIVED**  
FEB 20 2018  
SC Court of Appeals

Charles Kelley a/k/a Charles E. Kelley and  
Deborah Kelley a/k/a Deborah L. Kelley,

.....Appellants,

v.

Seabrook Island Property Owners Association,  
Mortgage Electronic Registration Systems, Inc.,  
its successors and assigns, as nominee for  
Chase Mortgage Company, its successors and assigns,  
a Delaware corporation, Spinnaker Beach House Owners Association,  
and 749 Spinnaker, LLC,

.....Respondents.

**PROOF OF SERVICE**

I certify that I have served Appellants' Notice of Appeal on Respondents Seabrook Island Property Owners Association, Mortgage Electronic Registration Systems, Inc., its successors and assigns, as nominee for Chase Mortgage Company, its successors and assigns, a Delaware corporation, Spinnaker Beach House Owners Association, and 749 Spinnaker, LLC, by depositing a copy of it in the United States Mail, postage prepaid, on February 15, 2018, properly addressed to their attorney(s) of record as follows:

Kristin Nichols, Esquire  
Turner Padgett Graham & Laney, PA  
P.O. Box 22129  
Charleston, SC 29413

*Attorney for Seabrook Island Property Owners Association*

Hal E. Cobb, Esq.  
Cobb, Dill & Hammett, LLC  
300 W. Coleman Blvd. #106  
Mt. Pleasant, SC 29464

*Attorney for 749 Spinnaker, LLC*

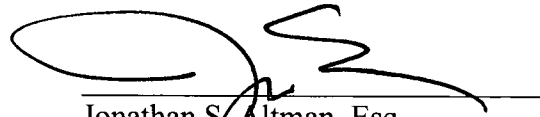
Stephanie C. Trotter, Esq.  
McCabe Trotter & Beverly, PC  
P.O. Box 212069  
Columbia, SC 29221

*Attorney for Spinnaker Beach House Owners Association*

Louise M. Johnson, Esq.  
Scott and Corley, PA  
P.O. Box 2065  
Columbia, SC 29202

*Attorney for Mortgage Electronic Registration Systems, Inc., its  
successors and assigns, as nominee for Chase Mortgage Company, its  
successors and assigns, a Delaware Corporation*

February 15, 2018



Jonathan S. Altman, Esq.  
Derfner & Altman, LLC  
575 King Street, Suite B  
Charleston, SC 29403

*Attorney for Appellants*

# D · & · A

DERFNER  
& ALTMAN

February 15, 2018

The Honorable Jenny Abbott Kitchings, Clerk  
South Carolina Court of Appeals  
1220 Senate Street  
Columbia, SC 29201

RECEIVED  
FEB 20 2018  
SC Court of Appeals

RE: *Seabrook Island Property Owners Association v. Charles Kelley a/k/a Charles E. Kelley, Deborah Kelley a/k/a Deborah L. Kelley, Mortgage Electronic Registration Systems, Inc., its successors and assigns, as nominee for Chase Mortgage Company, its successors and assigns, a Delaware Corporation, Spinnaker Beach House Owners Association, and 749 Spinnaker, LLC*

Case No.: 2016-CP-10-06750

Dear Ms. Kitchings:

Please find enclosed an original and one copy of the following relative to the above referenced matter:

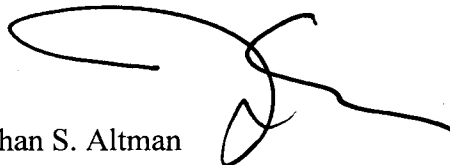
1. Appellants' Notice of Appeal;
2. Copy of the Honorable Mikell R. Scarborough's Order of December 13, 2017<sup>1</sup>;
3. Proof of Service upon Respondents' counsel; and
4. My firm's check in the amount of \$100.00 representing the filing fee relative to said appeal.

Please file the original Notice of Appeal and Proof of Service and return clocked-in copies to me in the enclosed self-addressed stamped envelope. Please contact me with any questions you may have regarding the above matter.

Yours Very Truly,

DERFNER & ALTMAN, LLC

Jonathan S. Altman



JSA/rs

<sup>1</sup> Appellants' motion for reconsideration was denied at a hearing held on February 12, 2018.

Enclosures

cc:

Office of Court Administration, South Carolina Court of Appeals

Julie J. Armstrong, Charleston County Clerk of Court

Kristin Nichols, Esq., Attorney for Respondent Seabrook Island Property Owners Assoc.

Hal E. Cobb, Esq., Attorney for Respondent 749 Spinnaker, LLC

Louis M. Johnson, Esq., Attorney for Respondent Mortgage Electronic Registration  
Systems, Inc., its successors and assigns, as nominee for Chase Mortgage Company, its  
successors and assigns, a Delaware Corporation

Stephanie C. Trotter, Esq., Attorney for Respondent Spinnaker Beach House Owners  
Assoc.



---

DERFNER  
& ALTMAN

RECEIVED

FEB 20 2018

SC Court of Appeals

The Honorable Jenny Abbott Kitchings, Clerk  
South Carolina Court of Appeals  
1220 Senate Street  
Columbia, SC 29201

