

86317

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

**RECEIVED**  
MAR 30 2018  
SC Court of Appeals

---

APPEAL FROM SPARTANBURG COUNTY  
Court of Common Pleas

The Honorable R. Keith Kelly, Circuit Court Judge

---

Case No.: 2017-CP-42-02834

---

Phillip Francis Luke Hughes, on behalf of the Estate of Jane K. Hughes.....Appellant,

v.

Bank of America National Association.....Respondent.

---

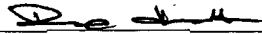
**NOTICE OF APPEAL**

---

Pursuant to Rule 203 of the South Carolina Appellate Court Rules, Plaintiff Phillip Francis Luke Hughes, on behalf of the Estate of Jane K. Hughes ("Appellant") hereby appeals the order of the Honorable R. Keith Kelly, dated March 19, 2018, granting the motion to dismiss on behalf of Respondent Bank of America National Association.

Copies of the order granting the motion to dismiss on behalf of Respondent are attached hereto and incorporated herein as Exhibit A.

Respectfully Submitted,

By:  \_\_\_\_\_

Brad D. Hewett  
bhewett@mklawgroup.com  
S.C. Bar No. 77924  
D. Michael Kelly  
mkelly@mklawgroup.com  
Jamie Smith  
jsmith@mklawgroup.com  
Mike Kelly Law Group, LLC  
500 Taylor Street  
Columbia, SC 29201  
(803) 726-0123

Attorneys for Appellant

March 26, 2018

Other Counsel of Record:

Robert A. Muckenfuss, Esq.  
Elizabeth M. Timmermans, Esq.  
McGuire Woods, LLP  
201 North Tryon Street, Suite 3000  
Charlotte, NC 28202-2146  
Telephone: 704.343.2052  
Counsel for Defendants/Respondents

cc: The Honorable Hope Blackley

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

**RECEIVED**

MAR 30 2018

SC Court of Appeals

---

APPEAL FROM SPARTANBURG COUNTY  
Court of Common Pleas

The Honorable R. Keith Kelly, Circuit Court Judge

---

Case No.: 2017-CP-42-02834

---

Phillip Francis Luke Hughes, on behalf of the Estate of Jane K. Hughes.....Appellant,

v.

Bank of America National Association.....Respondent.

---

**PROOF OF SERVICE**

---

I certify that I have served the Notice of Appeal on Bank of America National Association by depositing a copy of it in the United States Mail, postage prepaid, on March 28, 2018, addressed to its attorney of record, Robert A. Muckenfuss, Esquire and Elizabeth M. Timmermans, Esquire, 201 North Tryon Street, Suite 3000, Charlotte, NC 28202-2146.

s/Brad D. Hewett

Brad D. Hewett, S.C. Bar No. 77924

bhewett@mklawgroup.com

D. Michael Kelly

mkelly@mklawgroup.com

Jamie Smith

jsmith@mklawgroup.com

Mike Kelly Law Group, LLC

500 Taylor Street

Columbia, SC 29201

(803) 726-0123

Attorneys for Appellant

  
MIKE KELLY  
LAW GROUP, LLC

**Columbia Office**  
500 Taylor Street  
Columbia, SC 29201

**Mailing Address**  
PO Box 8113  
Columbia, SC 29202

Telephone 803.726.0123  
Toll-Free 866.692.0123  
Fax 803.252.7145

E-mail [mmoorey@mklawgroup.com](mailto:mmoorey@mklawgroup.com)

March 28, 2018

VIA USPS AND EMAIL: [jashbrook@sccourts.org](mailto:jashbrook@sccourts.org)  
Julie Ashbrook  
Circuit Court Reporter  
PO Box 27248  
Greenville, SC 29616

**RECEIVED**

MAR 30 2018

SC Court of Appeals

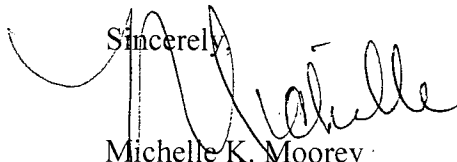
Re: Phillip Francis Luke Hughes, on behalf of the Estate of Jane K. Hughes and all other similarly situated vs. Bank of America National Association  
C/A No.: 2017-CP-42-02834

Dear Ms. Ashbrook:

I am writing to request a copy of the Hearing Transcript before The Honorable R. Keith Kelly on March 19, 2018 regarding Defendant's Motion to Dismiss in the above referenced matter.

Thank you for your kind assistance in this matter

Sincerely,

  
Michelle K. Moorey  
Litigation Paralegal

/mkm

Enclosures

cc: Honorable Jenny A. Kitchings  
Honorable M. Hope Blackley  
Robert A. Muckenfuss, Esquire  
Elizabeth M. Timmermans, Esquire

OFFICES IN:

Columbia, Myrtle Beach and Winnsboro, South Carolina  
[www.mklawgroup.com](http://www.mklawgroup.com)



**Columbia Office**  
500 Taylor Street  
Columbia, SC 29201

**Mailing Address**  
PO Box 8113  
Columbia, SC 29202

Telephone 803.726.0123  
Toll-Free 866.692.0123  
Fax 803.252.7145

E-mail [mmoorey@mklawgroup.com](mailto:mmoorey@mklawgroup.com)

March 28, 2018

The Honorable Jenny A. Kitchings  
SC Court of Appeals  
PO Box 11629  
Columbia, SC 29211

**RECEIVED**

MAR 30 2018

**SC Court of Appeals**

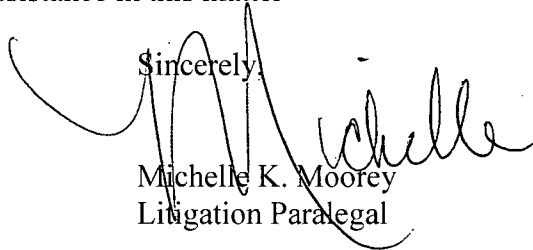
Re: Phillip Francis Luke Hughes, on behalf of the Estate of Jane K. Hughes and all other similarly situated vs. Bank of America National Association  
C/A No.: 2015-CP-42-4748

Dear Ms. Kitchings:

I enclose herewith an original and two copies of a Notice of Appeal for filing with the Court. Please file the original and return the clocked copies in the self-addressed stamped envelope.

Thank you for your kind assistance in this matter

Sincerely,



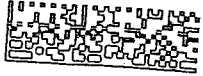
Michelle K. Moorey  
Litigation Paralegal

/mkm  
Enclosures  
cc: Honorable M. Hope Blackley

**OFFICES IN:**

Columbia, Myrtle Beach and Winnsboro, South Carolina  
[www.mklawgroup.com](http://www.mklawgroup.com)



neopost<sup>SM</sup> FIRST-CLASS MAIL  
03/28/2018  
US POSTAGE \$02.89<sup>0</sup>  
  
ZIP 29201  
041L11245104

*MIKE KELLY*  
LAW GROUP, LLC

PO Box 8113  
Columbia, SC 29202

**RECEIVED**

MAR 30 2018

The Honorable Jenny A. Kitchens  
SC Court of Appeals  
PO Box 11629  
Columbia, SC 29211

**SC Court of Appeals**