

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM SPARTANBURG COUNTY
COURT OF COMMON PLEAS

Grace Gilchrist Knie, Circuit Court Judge

Case No.: 2017-CP-42-02834

Court of Appeals Case No. 2018-001443

RECEIVED

AUG 09 2018

SC Court of Appeals

Bank of American National AssociationAppellant,

v.

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

AMENDED NOTICE OF APPEAL

Pursuant to Rule 203 of the South Carolina Appellate Court Rules, Defendant Bank of America National Association (“Appellant” or “BANA”), hereby appeals the Order of the Honorable Grace Gilchrist Knie, dated July 3, 2018, denying the Appellant’s Motion for Sanctions against Phillip Francis Luke Hughes, on behalf of the Estate of Jane K. Hughes.¹

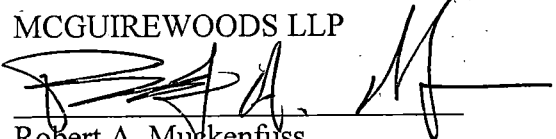
Appellant filed its Notice of Appeal on August 1, 2018. On August 6, 2018, the Court of Appeals entered a notice of deficiency requiring Appellant to provide detail about when Appellant received the Order from the trial court. Appellant received the Order denying Appellant’s Motion for Sanctions on July 3, 2018 via the South Carolina Notice of Electronic Filing System (NEF). A copy of the NEF is attached hereto as Exhibit A.

¹ On March 27, 2018, Hughes filed a notice of appeal with this Court, appealing the trial court’s dismissal of his case against BANA based on grounds of *res judicata*, statute of limitations, and long-standing precedent. *Hughes v. Bank of America Nat’l Assoc.*, Appellate Case No. 2018-000568 (S.C. Ct. App. Mar. 27, 2018). That appeal involves the same parties in the same underlying case, and that appeal has been fully briefed at this time.

Respectfully submitted, August 8, 2018

MCGUIREWOODS LLP

By:


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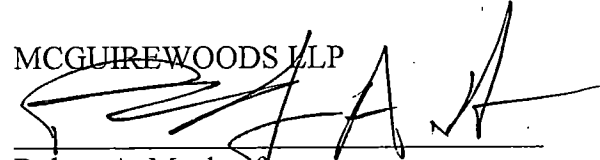
PROOF OF SERVICE

I certify that I have served the Amended Notice of Appeal upon counsel of record for the Respondent causing it to be deposited in the United States Mail, postage prepaid, on August 8, 2018, addressed to Brad D. Hewett and D. Michael Kelly, 500 Taylor Street, Post Office Box 8113, Columbia, South Carolina 29202.

August 8, 2018

MCGUIREWOODS LLP

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Attorneys for Appellant

EXHIBIT A

From: <efiledonotreply@sccourts.org>
Date: July 3, 2018 at 1:01:56 PM EDT
To: <eztimmermans@mcguirewoods.com>
Cc: <slatta@mcguirewoods.com>
Subject: Courtesy NEF RE: 2017CP4202834

******* IMPORTANT NOTICE - READ THIS INFORMATION *******
NOTICE OF ELECTRONIC FILING [NEF]

A filing has been submitted to the court RE: 2017CP4202834

Official File Stamp: 07-03-2018 01:01:31 PM
Court: CIRCUIT COURT
Common Pleas
Spartanburg
Case Caption: Phillip Francis Luke Hughes , plaintiff, et al VS Bank Of America National Association
Document(s) Submitted: Order/Sanctions Order/Sanctions
Filed by or on behalf of: Grace G. Knie

This notice was automatically generated by the Court's auto-notification system.

The following people were served electronically:

Robert A. Muckenfuss for Bank Of America National Association
Elizabeth Marion Zwickert Timmermans for Bank Of America National Association
Bradley Davis Hewett for Phillip Francis Luke Hughes

The following people have not been served electronically by the Court. Therefore, they must be served by traditional means:

On Behalf Of The Estate Of Jane K. Hughes

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August 8, 2018

**Federal Express Mail**

The Honorable Jenny Abbott Kitchins  
Clerk of Court, SC Court of Appeals  
1220 Senate Street  
Columbia, SC 29201

**RECEIVED**

AUG 09 2018

**SC Court of Appeals**

Re: ***Phillip Francis Luke Hughes, on behalf of the Estate of Jane K. Hughes vs. Bank of America National Association***  
Spartanburg County Case Number: 2017-CP-42-02834  
Court of Appeals Number: 2018-001443

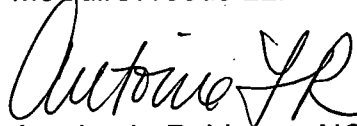
Dear Ms. Kitchins:

Please find enclosed an original and two (2) copies of Appellant Bank of America, N.A.'s Amended Notice of Appeal and Proof of Service in connection with the above-referenced matter. Please file the original and return the certified filed stamped copies to me in the envelope provided for your convenience.

By copy of this letter, I am serving counsel of record for the Respondent.

Thank you in advance for your kind consideration in this matter.

Sincerely,  
McGuireWoods LLP



Antoine L. Robinson, NCCP  
Sr. Litigation Paralegal

Enclosures

cc: D. Michael Kelly, Esq.  
Brad D. Hewett, Esq.  
Jamie N. Smith, Esq.

ORIGIN ID: QWGA (704) 343-2000  
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UNITED STATES US

SHIP DATE: 08AUG18  
ACTWGT: 0.50 LB  
CAD: 112126786/WSX13200

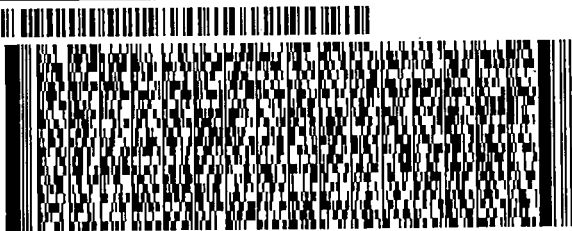
BILL SENDER

TO THE HONORABLE JENNY A. KITCHINGS  
SC COURT OF APPEALS CLERK OF COURT  
1220 SENATE ST

COLUMBIA SC 29201

(803) 734-1890 REF: 2068260-1101  
INV: PO: DEPT:

5521163309/DCA5

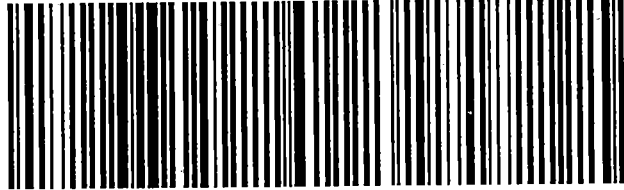


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PRIORITY OVERNIGHT

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