

88072

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM ANDERSON COUNTY
Court of Common Pleas

R. Lawton McIntosh, Circuit Court Judge

Case No. 2016-CP-04-02468

RECEIVED
OCT 12 2018
SC Court of Appeals

John Cross Appellant,

v.

Gregory A. Weaver, Earle E. Weaver,
Terrie Fallow and Jason Seagraves Respondents.

NOTICE OF APPEAL

John Cross appeals the Final Order & Judgment (filed September 5, 2018) and the Order Denying Plaintiff's Motion for Reconsideration (filed September 27, 2018) of the Honorable R. Lawton McIntosh, Circuit Court Judge. Appellant received notice of the Order Denying Plaintiff's Motion for Reconsideration on September 27, 2018. Respondents Terrie Fallow and Jason Seagraves are in default and are not represented by counsel.

October 11, 2018



David J. Brousseau, SC Bar No 71150
McIntosh, Sherard, Sullivan & Brousseau
Post Office Box 197
Anderson, South Carolina 29622
(864) 225-0001 | 225-0004 (fax)
Attorney for Appellant

Other Counsel of Record:

David F. Stoddard, Esq.
320 E. River Street
Anderson, South Carolina 29624
Attorney for Gregory A. Weaver & Earle E. Weaver

Jason Seagraves
601 Calhoun Road, Apt. 30-D
Belton, South Carolina 29627

Terrie Fallow
2315 Broadway Lake Road
Anderson, South Carolina 29621

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM ANDERSON COUNTY
Court of Common Pleas

R. Lawton McIntosh, Circuit Court Judge

Case No. 2016-CP-04-02468

RECEIVED
OCT 12 2018
SC Court of Appeals

John Cross. Appellant,


v.

Gregory A. Weaver, Earle E. Weaver,
Terrie Fallow and Jason Seagraves. Respondents.

PROOF OF SERVICE

I certify that I have served the Notice of Appeal on Gregory A. Weaver and Earle E. Weaver by depositing a copy of it in the United States Mail on October 11, 2018, addressed to their attorney of record, David F. Stoddard, Esquire, 320 E. River Street, Anderson, South Carolina 29624. I certify that I have served the Notice of Appeal on Jason Seagraves by depositing a copy of the same in the United States Mail on October 11, 2018 at his last known address at 601 Calhoun Rd., Apt. 30-D, Belton, South Carolina 29627. I certify that I have served the Notice of Appeal on Terrie Fallow by depositing a copy of the same in the United States Mail on October 11, 2018 at her last known address at 2315 Broadway Lake Road, Anderson, South Carolina 29621. I also certify that I served the Notice of Appeal on The Honorable Richard A. Shirley, Anderson County Clerk of Court, by depositing a copy of the same in the United States Mail, on October 11, 2018, at his office at Post Office Box 8002, Anderson, South Carolina 29622.

October 11, 2018



David J. Brousseau
McIntosh, Sherard, Sullivan & Brousseau
Post Office Box 197
Anderson, South Carolina 29622
(864) 225-0001 | 225-0004 (fax)
Attorney for Appellant

MCINTOSH, SHERARD, SULLIVAN & BROUSSEAU

ATTORNEYS AT LAW
138 NORTH MAIN STREET
PO BOX 197
ANDERSON, SC 29622-0197

TELEPHONE
(864) 225-0001
FAX (864) 225-0004

WALTER H. HOOD (1908-1971)
MARSHALL P. SHERARD (1910-1970)
JACK F. McINTOSH, Retired
MARSHALL P. SHERARD, JR., Partner
GEORGE P. SULLIVAN, Partner
DAVID J. BROUSSEAU, Partner
S. LESLIE McINTOSH, Associate

October 11, 2018

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

RECEIVED
OCT 12 2018
SC Court of Appeals

RE: *Steven P. Cross v. Gregory A. Weaver, et al.*
C/A No. 2016-CP-04-02464

John Cross v. Gregory A. Weaver, et al.
C/A No. 2016-CP-04-02468

Dear Ms. Kitchings:

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

- 1) Proof of service for each notice of appeal on the Respondents and lower tribunal;
- 2) A copy of the orders which are being challenged on appeal; and
- 3) A filing fee of \$100 for each case.

Sincerely,



David J. Brousseau
McIntosh, Sherard, Sullivan & Brousseau
Post Office Box 197
Anderson, South Carolina 29622
(864) 225-0001 | 225-0004 (fax)
Attorney for Appellant

cc: David F. Stoddard, Esq.
320 E. River Street
Anderson, South Carolina 29624
Attorney for Gregory A. Weaver & Earle E. Weaver

Jason Seagraves
601 Calhoun Road, Apt. 30-D
Belton, South Carolina 29627

Terrie Fallow
2315 Broadway Lake Road
Anderson, South Carolina 29621

ORIGIN ID:ANDA (864) 225-0001
TONYA CRAWFORD
138 N MAIN ST
ANDERSON, SC 29621
UNITED STATES US

SHIP DATE: 11OCT18
ACTWGT: 0.20 LB
CAD: 4135619/NET4040
BILL SENDER

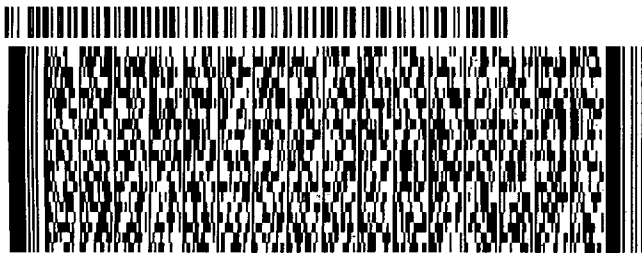
TO JENNY ABBOTT KITCHINGS
SOUTH CAROLINA COURT OF APPEALS
1220 SENATE STREET

COLUMBIA SC 29201

(803) 734-7890
INV.
PO.

REF: CROSS.JOHN.STEVEN
DEPT:

552J168FBIDCA5

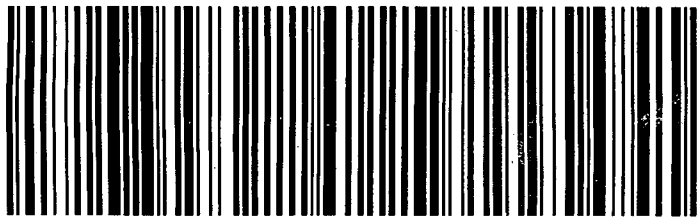


FRI - 12 OCT 8:00A
FIRST OVERNIGHT

TRK# 7734 5151 4783
0201

N1 USCA

29201
SC-US CAE



RECEIVED

OCT 12 2018

SC Court of Appeals

After printing this label:

1. Use the 'Print' button on this page to print your label to your laser or inkjet printer.
2. Fold the printed page along the horizontal line.
3. Place label in shipping pouch and affix it to your shipment so that the barcode portion of the label can be read and scanned.

Warning: Use only the printed original label for shipping. Using a photocopy of this label for shipping purposes is fraudulent and could result in additional billing charges, along with the cancellation of your FedEx account number. Use of this system constitutes your agreement to the service conditions in the current FedEx Service Guide, available on fedex.com. FedEx will not be responsible for any claim in excess of \$100 per package, whether the result of loss, damage, delay, non-delivery, misdelivery, or misinformation, unless you declare a higher value, pay an additional charge, document your actual loss and file a timely claim. Limitations found in the current FedEx Service Guide apply. Your right to recover from FedEx for any loss, including intrinsic value of the package, loss of sales, income interest, profit, attorney's fees, costs, and other forms of damage whether direct, incidental, consequential, or special is limited to the greater of \$100 or the authorized declared value. Recovery cannot exceed actual documented loss. Maximum for items of extraordinary value is \$1,000, e.g. jewelry, precious metals, negotiable instruments and other items listed in our ServiceGuide. Written claims must be filed within strict time limits, see current FedEx Service Guide.