

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

\_\_\_\_\_  
APPEAL FROM CHARLESTON COUNTY  
The Honorable Mikell R. Scarborough, Master in Equity

\_\_\_\_\_  
Case No. 2015-CP-10-000979  
Appellate Case No. \_\_\_\_\_

\_\_\_\_\_  
Related Appellate Case No. 2018-001971

RECEIVED  
JAN 30 2019  
SC Court of Appeals

RS Custom Homes, n/k/a RS General Contracting, LLC,.....Respondent

v.

Matthew David DeNapoli, Lindsay Ann DeNapoli, Branch Banking & Trust, N.A., and  
Mortgage Electronic Registration Systems, Inc.,

Of whom, Matthew David DeNapoli, Lindsay Ann DeNapoli are ..... Appellants

\_\_\_\_\_  
**NOTICE OF APPEAL**  
\_\_\_\_\_

TAKE NOTICE, that pursuant to Rule 203, SCACR, the above-named appellants, Matthew David DeNapoli and Lindsay Ann DeNapoli hereby appeal the following orders of the Hon. Mikell R. Scarborough, in the above-captioned matter:

1. Form 4 Order of December 27, 2018, Denying Appellant's Successive Motion to Reconsider, and motion challenging the validity of the subject mechanic's lien, *inter alia*.<sup>1</sup>

Notice the above referenced Order was received by Mr. Cisa, counsel for Appellants, on January 2, 2019, within thirty days of the service hereof.

\_\_\_\_\_  
<sup>1</sup> This appeal arises from an Order that was issued by the trial court in the same matter that is under appeal in Appellate Case No. 2018-001971, the Order from which appeal is taken by this notice was issued by the trial court subsequent to the perfection of the appeal in Appellate Case No. 2018-001971. Appellant simultaneous to the Notice will additionally move before this Court to consolidate this appeal with Appellate Case No. 2018-001971.



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-and-

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*Attorneys for Respondents*

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Of whom, Matthew David DeNapoli, Lindsay Ann DeNapoli are ..... Appellants

\_\_\_\_\_  
**PROOF OF SERVICE**  
\_\_\_\_\_

I certify that I served the below listed parties by United States Mail, postage paid, and via email a true and correct copy of the enclosed document on this date:

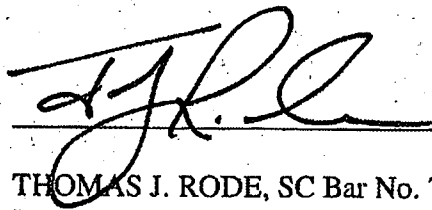
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[signature to follow]

I so certify, this 30<sup>th</sup> day of January, 2019.



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January 30, 2019

**VIA US MAIL & FAX**

The Hon. Jenny A. Kitchings  
S.C. Court of Appeals  
PO Box 11629  
Columbia, SC 29211  
803-734-1839

**Re: *RS Custom Homes v. DeNapoli et. al.*  
*Lower Court Number 2015-CP-10-00979***

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JAN 30 2019  
SC Court of Appeals

Dear Mrs. Kitchings,

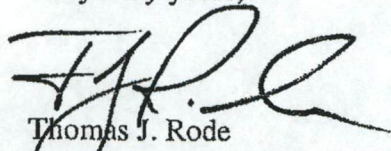
Enclosed for filing, please find the following:

1. The original and one copy of Appellant's Notice of Appeal, together with the applicable order of the trial court.
2. Check No. 15826 in the amount of \$250.00 for the filing fee of the above referenced Notice of Appeal.
3. The original and six copies of Appellant's Motion to Consolidate this appeal with Appellate Case No. 2018-001971.
4. Check No. 15827 in the amount of \$50.00 for the filing fee on the above reference Motion to Consolidate.

By copy of this letter I am serving all counsel of record with the same.

With best regards, I remain

Very truly yours,



Thomas J. Rode  
[thomas@tktlawyers.com](mailto:thomas@tktlawyers.com)

TJR

Cc: All counsel of Record

Charleston | Aiken | Summerville

# Fax

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**Date:** 1/30/2019  
**To:** 8037341839  
**From:** +18439374200  
**Subject:** Fax: RS Custom Homes v. DeNapoli

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JAN 30 2019  
SC Court of Appeals

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