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THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

APPEAL FROM SPARTANBURG COUNTY  
Court of Common Pleas

J. Derham Cole, Circuit Court Judge

Case No. 2017-CP-42-02072

**RECEIVED**  
MAR 01 2019  
SC Court of Appeals

Benson Hyundai, LLC ..... Appellant,

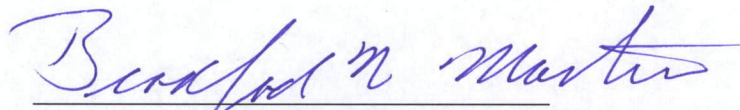
v.

Donald and Carlee Simmons ..... Respondents.

**NOTICE OF APPEAL**

Benson Hyundai, LLC appeals the order of The Honorable J. Derham Cole dated April 30, 2018 denying its Motion to Stay and Compel Arbitration and the subsequent Order dated February 4, 2019, denying its Motion to Alter or Amend. Copies of both Orders are enclosed with this Notice. The parties received notice of the entry of the Order denying Defendant's Motion to Alter or Amend on February 4, 2019.

February 27, 2019



Bradford N. Martin, Esq. (SC Bar No. 3658)  
Laura W. H. Teer, Esq. (SC Bar No. 16698)  
BRADFORD NEAL MARTIN & ASSOCIATES, P.A.  
Post Office Box 10410  
Greenville, South Carolina 29603  
864.552.9990  
864.552.9992 (facsimile)  
**ATTORNEYS FOR APPELLANT**

Other counsel of record:  
Warren Moise, Esq.  
Grimball and Cabaniss, LLC  
1180 Sam Rittenburg Boulevard  
Suite 120  
Post Office Box 31358  
Charleston, SC 29417

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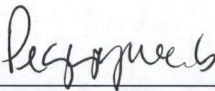
v.

Donald and Carlee Simmons ..... Respondents.

**PROOF OF SERVICE**

I certify that I have served Appellant's Notice of Appeal by depositing a copy in the U.S. Mail, postage prepaid, on February 27, 2019, addressed to attorney of record, Warren Moise, Esq., Grimball and Cabaniss, LLC, 1180 Sam Rittenberg Boulevard, Suite 120, Charleston, SC 29417.

February 27, 2019

  
Peggy McComb, Legal Assistant to  
Bradford N. Martin, Esq. (SC Bar No. 3658)  
Laura W. H. Teer, Esq. (SC Bar No. 16698)  
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# BRADFORD NEAL MARTIN & ASSOCIATES, PA

ATTORNEYS AT LAW

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February 27, 2019

The Honorable Jenny Abbott Kitchings  
South Carolina Court of Appeals  
P.O. Box 11629  
Columbia, SC 29211

Re: *Donald and Carlee Simmons v. Benson Hyundai, LLC*  
C/A No. 2017-CP-42-02072

**RECEIVED**  
MAR 01 2019  
SC Court of Appeals

Dear Ms. Kitchings:

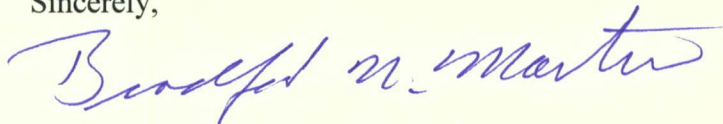
Enclosed for filing please find the original and one copy of Defendant's Notice Appeal in the above matter along with the following:

1. Our firm's check in the amount of \$250.00
2. Proof of Service
3. Copy of Order Denying Motion to Dismiss of April 30, 2018
4. Copy of Order on Motion of Defendant to Alter or Amend of February 4, 2019
5. Copy of letter to Court Reporter requesting transcript

By copy of this letter, we are hereby serving counsel of record with same.

Thank you for your attention to this matter. Should you have any questions, please do not hesitate to contact me.

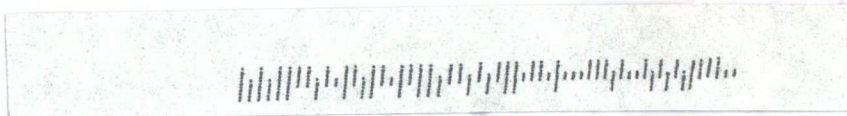
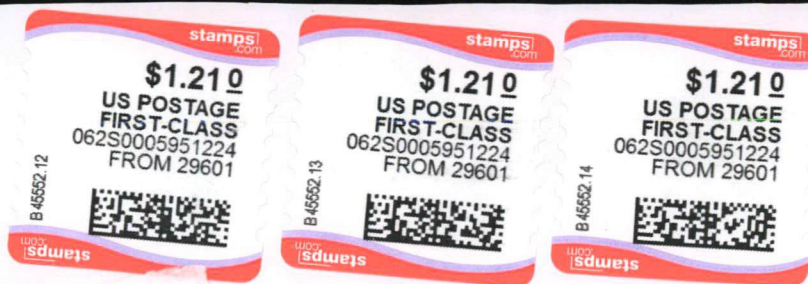
Sincerely,



Bradford N. Martin

/pm  
Enclosures

cc: Warren Moise, Esq.



# FIRST CLASS MAIL

FIRST CLASS

FIRST CLASS

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BRADFORD NEAL MARTIN & ASSOCIATES, PA  
201 WEST MCBEE AVE., SUITE 302  
P.O. BOX 10410 (29603)  
GREENVILLE, SC 29601

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TO:

The Hon. Jenny Abbott Kitchings  
South Carolina Court of Appeals  
P.O. Box 11629  
Columbia, South Carolina 29211

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SC Court of Appeals

GREENVILLE SC  
FEB 27 2019  
USPS-29602