

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM COLLETON COUNTY
Court of Common Pleas

Carmen T. Mullen, Circuit Court Judge

Case No. 2010-CP-15-509

Enterprise Bank of South Carolina.....Respondent,
v.
Gene Raymond Hoy a/k/a Gene R. Hoy, Collins Pavilion Corp, Perrin Souvenir
Distributors, Inc., CITI Group/Commercial Services, Durwood Collins, individually
and as agent for Henry Collins, Mary Collins and Sandra Collins, Henry Collins,
Mary Collins, and Sandra Collins, Ocean One of Edisto, LLC, South Carolina
Employment Security Commission and the South Carolina Department of Revenue
of whom Gene Raymond Hoy is.....Appellant

MOTION

The Appellant moves this honorable Court to set aside the Order of Dismissal in this matter as imprudently entered.

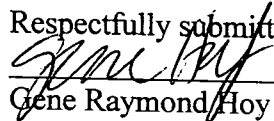
The Appellant would show unto the Court that the Notice of Appeal was served upon the Colleton County Clerk of Court and Capers G. Barr IV, Esquire, attorney for Respondent bank by first class mail on March 23, 2012. The Colleton County Clerk of Court received the Notice of Appeal on March 26, 2012 as shown by copies of the received documents from the Colleton County Clerk of Court which are attached hereto and incorporated herein by reference. The Appellant requests that the Court take notice that the documents were received by the said Clerk of Court on March 26, 2012. There is no reason to believe that Mr. Barr did not receive the documents at the same time.

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APR 24 2012
SC Court of Appeals

The Appellant begs the Court's indulgence that the proof of service submitted to the Court was completed incorrectly due to mistake and inadvertence on the part of the Appellant.

4/23/_____, 2012.

Respectfully submitted,



Gene Raymond Hoy

2586 Sitt Road

Mio, MI 48647

1-989-826-6025

Other Counsel of Record:

Capers G. Barr IV

Barr, Unger and McIntosh, LLC

Post Office Box 1037

Charleston, South Carolina 29402-1037

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CERTIFICATE OF SERVICE

I, Gene Raymond Hoy, the undersigned, to hereby certify that I have served Counsel in this action with a copy of the Pleadings herein below specified by mailing a copy of the same by United States Mai, postage prepaid, to Counsel at the following address:

Capers G. Barr IV
Barr, Unger and McIntosh, LLC
Post Office Box 1037
Charleston, South Carolina 29402-1037
Pleadings: Motion
Counsel Served: Capers G. Barr IV

4/23, 2012.

Gene R. Hoy
Gene Raymond Hoy

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SWORN to before me this
day of April, 2012
Carmen T. Mullen
Notary Public for South Carolina
My Commission Expires: 6/16/2015

March 23, 2012
Gene Raymond Hoy
2586 Sitt Road
Mio, MI 48647

Honorable Patricia C. Grant
Colleton County Clerk of Court
Post Office Box 620
Walterboro, South Carolina 29488

RE: Enterprise Bank v Gene Hoy, et al
2010-CP-15-509

Dear Ms. Grant:

I enclose for filing the Notice of Appeal in the above matter.

Yours truly,

Gene Raymond Hoy

PATRICIA C. GRANT,
COLLETON COUNTY
COMMON PLEAS
2012 MAR 26 AM 9:02

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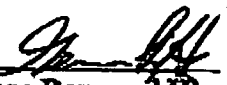
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Mary Collins, and Sandra Collins, Ocean One of Edisto, LLC, South Carolina
Employment Security Commission and the South Carolina Department of Revenue
of whom Gene Raymond Hoy is..... Appellant

NOTICE OF APPEAL

Gene Raymond Hoy appeals the order of the Honorable Carmen T. Mullen dated
February 23, 2012. Appellant received written notice of entry of this order on February
28, 2012.

3/29, 2012


Gene Raymond Hoy
2586 Sitt Road
Mio, MI 48647
1-989-826-6025

Other Counsel of Record:
Capers G. Barr IV
Barr, Unger and McIntosh, LLC
Post Office Box 1037
Charleston, South Carolina 29402-1037

April 23, 2012
Gene Raymond Hoy
2586 Sitt Road
Mio, MI 48647

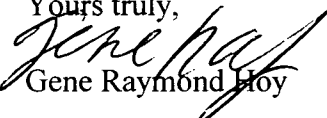
Honorable Jenny A. Kitchings
Clerk of the South Carolina Court of Appeals
Post Office Box 11629
Columbia, South Carolina 29211

RE: Enterprise Bank of South Carolina v Gene Raymond Hoy

Dear Ms. Kitchings:

I enclose to you Appellant's motion to set aside the Order of Dismissal. Also, I am enclosing my proof of service on Respondent's counsel.

By copy of this letter, I am serving Respondent's counsel of record with a copy of the motion and a copy of the proof of service.

Yours truly,

Gene Raymond Hoy

Enclosures

cc: Capers G. Barr IV, Esquire

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