

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
FEB 04 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*.¹

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

¹ 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 the Appellants

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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:

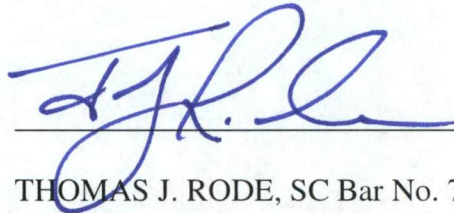
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[signature to follow]

I so certify, this 30th day of January, 2019.

A handwritten signature in blue ink, appearing to read 'T.J. Rode', written over a horizontal line.

THOMAS J. RODE, SC Bar No. 77480
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Attorneys for the Appellants

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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Dear Mrs. Kitchings,

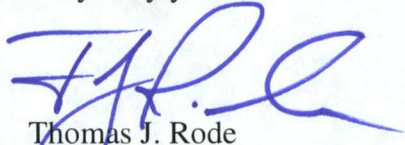
Enclosed for filing, please find the following:

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

TJR

Cc: All counsel of Record

FIRST-CLASS



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THURMOND KIRCHNER



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The Hon. Jenny A. Kitchings
S.C. Court of Appeals
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