RECEIVED
MAR 21 2019
S.C. SUPREME COURT

THE STATE OF SOUTH CAROLINA
in The Supreme Court

APPEAL FROM RICHLAND COUNTY
In the Family Court

George M. McFaddin, Jr., Family Court Judge

Civil Action No. 2014-DR-40-3574

Ivery M. Chestnut, ... Appellant,

v.

Mashell Chestnut, ... Respondent.

PETITION FOR A WRIT OF CERTIORARI

Gregory S. Forman, Esquire
Attorney for Petitioner
171 Church Street, Suite 160
Charleston, SC 29401
(843) 720-3749
(843) 614-5086 (fax)
attorney@gregoryforman.com

Other Counsel of Record:
Mr. Daniel K. Felker
Attorney for Respondent
Hucks & Felker, LLC
9610 Two Notch Road, Ste. 5
Columbia SC 29223-1601
(803) 865-6370
(803) 865-6332 fax
dan@hucksandfelker.com

Index

Certificate of Counsel

Counsel for Petitioner certifies that the Petition for Rehearing was made and finally ruled on by the Court of Appeals on February 21, 2019.

Questions Presented

1. Did the Court of Appeals make numerous factual findings in support of alimony that actually should not be a basis to award Respondent (Wife) alimony?
2. Did the Court of Appeals error in finding Petitioner's (Husband's) pre-marital personal property was transmuted when it was purchased with premarital funds, and was largely property of Husband's children from prior relationships?
3. Did the Court of Appeals error in finding Husband's pre-marital home was transmuted when it was purchased with pre-marital funds and Husband never showed any intention to treat the property as marital?
4. Assuming arguendo, the Court of Appeals properly found Husband's pre-marital home was transmuted, did it error in not remanding the equitable distribution of that home's equity to the family court when the Court of Appeals agreed the family court improperly considered many factors in its finding of transmutation?
5. Assuming arguendo, the Court of Appeals either overlooked or misapprehended the issues above, did it error in affirming the family court's award of attorney's fees to Wife?

Statement of the Case

Husband filed this divorce action on September 10, 2014. R. 13-14; Complaint. Wife filed an Answer and Counterclaim on October 9, 2014. R. 15-21; Answer and Counterclaim. Husband filed his reply on October 21, 2014. R. 22-26; Reply to Answer and Counterclaim.

Trial was held January 11, 2016 and resulted in a March 14, 2016 Final Order of Divorce. R. 1-6; Final Order of Divorce. Husband served a Motion to Reconsider on March 23, 2016. R. 38-39; Plaintiff's Motion to Reconsider. The family court partially granted this motion. R. 7-11; June 27, 2016. Reconsideration Order. That order directed Husband's attorney to draft a supplemental

order addressing some of the relief granted. That supplemental order was filed on July 25, 2016. R. 12; Supplemental Order from Plaintiff's Motion to Reconsider.

Husband appealed the family court's orders. The Court of Appeals issued its opinion on December 19, 2018. Appendix, pp. 1-10. That opinion affirmed the family court's orders. However, in addressing the issue of the transmutation of Husband's premarital home, the Court of Appeals noted, "we acknowledge that the family court relied on contributions Wife made during the engagement period, thus prior to the actual marriage." Appendix, p. 7. Still it neither reversed the family court on the issue of transmutation of Husband's home nor reconsidered the family court's 50-50 division on that home's equity. Husband filed a Petition for Rehearing on December 21, 2018. Appendix, pp. 12-19. The Court of Appeals denied the petition on February 21, 2019. Appendix, p. 11.

Argument

There is an inherent contradiction in the Court of Appeals' decision. The Court of Appeals concluded that Wife makes so little money that, even when her children are grown and she no longer needs to support them, she still needs financial support from Husband. However, during the marriage, this same income apparently allowed Wife to provide for herself and her three (four?)[1] children, and make such a significant contribution to Husband's household expenses that Husband's pre-marital home was transmuted.

This was a mid-life marriage that produced no children and did not impact either party's earning capacity. Wife came into the marriage working part-time as school bus driver and left the marriage working as a part-time school bus driver. Wife entered the marriage with numerous minor children to support and left the marriage with her children grown. Finally, Wife left the marriage. Given these facts, Husband should not be obligated to provide her support for the remainder of her life.

---

[1]From the record it appears Wife may have actually brought four children from prior relationships into the marriage. R. 88; TT, p. 120, lines 14-17.

I. The Court of Appeals made numerous factual findings in support of alimony that actually should not be a basis to award Wife alimony

The parties married on August 27, 2005. R. 50; TT, p. 16, lines 10-16. No children were born during the marriage. R. 40; TT, p. 5, lines 1-3. Husband has three children who were born prior to the marriage. At the time of trial their ages were 23, 22 and 21. Husband has substantial expenses for these children. The oldest child has autism and schizophrenia. As a result, that child has special needs, including adult care and primary care assistance. This care costs Husband $15,000 to $20,000 per year. R. 40-41; TT, p. 5, line 8-p. 6, line 15. Husband also had a son in college at Coastal Carolina at the time of trial. Husband paid $15,000 to $16,000 the previous year for that son's college expenses. Husband works as an IT specialist earning about $72,000 per year. R. 42-43; TT, p. 7, line 12-p. 8, line 11. Wife also brought four children of her own into the marriage. R. 88; TT, p. 120, lines 14-17. Wife acknowledges that Husband was good to her four children during the marriage, paying as much attention to her children's homework as he paid to his own children's homework. R. 88-89; TT, p. 120, line 19-p. 121, line 6.

The parties separated in June 2013. R. 47; TT, p. 12, lines 14-16. They separated because Wife was no longer happy in the marriage. R. 44; TT, p. 9, line 9-17. During this time, Husband suggested and attempted marriage counseling. R. 46-47; TT, p. 11, line 5-p. 12, line 9.

Wife is in good health and employed at FedEx. R. 49; TT, p. 14, lines 18-22. She makes $11.00 per hour, however the paycheck attached to her financial declaration showed 40.07 hours of work for a two-week period. R. 32-37; Mashell Chestnut January 11, 2016 financial declaration with attached December 24, 2015 pay stub. Husband encouraged Wife to seek full-time employment during the marriage. R. 62-63; TT, p. 37, line 22-p. 38, line 17.

Wife's financial declarations listed monthly wage income of $1,330.00 per month and withholding from her paycheck of $317.00 per month. R. 32; Mashell Chestnut January 11, 2016 financial declaration, p. 1. She listed expenses of $2,176 per month. R. 33; Mashell Chestnut January 11, 2016 financial declaration, p. 2. However $246.00 of these monthly expenses are for $2,016.00 in credit card debt that she should be able to pay off within a year (or pay off via her equitable

distribution award). After paying off this credit card debt, her ongoing expenses would be $1,930.00 per month.

In setting Husband's alimony obligation the family court failed to properly consider important alimony factors. S.C. Code Ann. § 20-3-130(C)(12) makes "the existence and extent of any support obligation from a prior marriage or for any other reason of either party" an alimony factor. Between a child with special needs and a child in college, Husband has over $30,000 per year in obligations to children who predated this marriage.

Further, the family court did not give proper weight to S.C. Code § 20-3-130(C)(4 & 6), "the employment history and earning potential of each spouse" and "the current and reasonably anticipated earnings of both spouses."

At trial Wife presented no credible explanation why should could not obtain full-time employment. She claims she sought full-time employment during the marriage. R. 74-75; TT, p. 82, line 24-p. 83, line 3. She claimed to be seeking full-time employment at the time of trial. R. 85; TT, p. 112, lines 12-19. She did not explain how or why she was unable to find full-time employment.

Here, if Wife obtained 40 hour per week employment for $11.00 per hour, she could earn $1,906.67 per month. If she paid off her $2,016 in credit card debt she still might need alimony, but she would not need $750.00 per month in alimony. Meanwhile, Husband should not be required to pay such significant alimony when he has to take care of a special needs child and pay tuition for another child.

It is noteworthy that the family court made a specific finding on the alimony issue that Wife did not seek full-time employment during the marriage at Husband's request in order to help take care of Husband's special needs child. R. 3; Final order, p. 3, ¶7(e). Now that Husband is solely responsible for taking care of this child, the court should have used this factor to lower, not increase, the amount of alimony it awarded Wife. Wife now has no reason no to seek, and obtain, full-time employment. Meanwhile Husband has the sole financial and emotional burden of caring for this son.

The Court of Appeals' opinion affirming the trial court's award of $750.00 per month in

permanent periodic alimony to Wife fails to address that Wife is working well below her earning capacity. It further makes factual findings to support the award of alimony that should not actually be a basis for alimony.

The Court of Appeals notes that "Wife's income was $1,580 per month, which included wages from her part-time job as a bus driver." During the litigation period, Wife failed to obtain full-time employment. Wife has no children with Husband. If she needs support she should work full-time rather than seek support from Husband. "Alimony should not serve as a disincentive for spouses to improve their employment potential or to dissuade them from providing, to the extent possible, for their own support." *Myers v. Myers*, 391 S.C. 308, 705 S.E.2d 86, 89 (Ct.App. 2011).

In justifying the alimony award, the Court of Appeals also notes, that "No children were born out of the marriage, but each had three children of their own from previous relationships"and that "Wife contributed ninety percent of her income towards the family's expenses." However, Husband had no legal obligation to cover the expenses for Wife's children. Given the income disparity between the parties during the marriage, it is unlikely that Wife's contribution to the household expenses even covered her own children.

The record reflects that Wife's part-time employment was her unilateral decision. It further reflects that Husband typically got the children ready for school because she had to be at work at 5:00 a.m. R. 55-56; TT, p. 26, line 25-p. 27, line 11. The record shows that Husband's sister often assisted in the child care. R. 52-53; TT, p. 20, line 1-p. 21, line 9. Wife acknowledges that Husband was good to her children during the marriage, paying as much attention to her children's homework as he paid to his own children's homework. R. 88-89; TT, p. 120, line 19-p. 121, line 6. Thus Husband and his sister had substantial caretaker roles for the family.

Wife was working as a bus driver and bus monitor for Richland School District Two when she met Husband. R. 68; TT, p. 68, lines 9-14. Husband denied encouraging Wife to remain in part-time work. R. 63; TT, p. 38, lines 9-11. He actually encouraged Wife to seek full-time employment. R. 62-63; TT, p. 37, line 22-p. 38, line 17. At trial, Wife presented no credible explanation why she

could not obtain full-time employment. She claims she sought full-time employment during the marriage. R. 74-75; TT, p. 82, line 24-p. 83, line 3. She claimed to be seeking full-time employment at the time of trial. R. 85; TT, p. 112, lines 12-19. She did not explain how or why she was unable to find full-time employment.

Wife did not forgo income and earning opportunities during the marriage in order to assist the parties and their children. Rather she continued to work at the same job she had when the parties met. The parties came into this marriage with their own children and their own separate obligations.

This was a ten-year marriage that did not impact either parties' earning capacity and in which both parties raised their own children with the other's assistance. Nothing justifies an award of permanent periodic alimony.

II. The Court of Appeals erred in finding Husband's pre-marital personal property was transmuted when it was purchased with premarital funds, and was largely property of Husband's children from prior relationships

The family court valued the parties' personal property at $5,600.00 based on the schedule provided in Husband's August 4, 2015 bankruptcy filing. R. 112; Defendant's Exhibit 3; R. 3; Final Order, p. 3, ¶10. The family court took into account that much of this property was furniture Husband purchased prior to the marriage with funds he received from an insurance claim. R. 3; Final Order, p. 3, ¶10. Wife acknowledged that the furniture Husband purchased prior to the marriage from the proceeds of the house fire were paid for by Husband. R. 87-88; TT, p. 119, line 11-p. 120, line 13. However the family court found that "there has been co-mingling of personal property," and found the personal property had been transmuted. R. 3; Final Order, p. 3, ¶10.

Of the $5,600.00 in personal property, $4,400.00 was for a "Living room and dining room furniture bedroom furniture for one adult and one child." R. 112; Defendant's Exhibit 3, p. 4. Further Husband noted that this property was "the same furniture we had at Fort Stewart." R. 64;TT, p. 47, lines 4-13. Such property was premarital. Clearly the furniture of Husband's adult child had not been transmuted into marital property. Further, Wife's mere use of Husband's household furnishings is insufficient to support a finding of transmutation.

Property that is nonmarital when acquired may be transmuted into marital property in three ways: (1) "it becomes so commingled with marital property that it is no longer traceable," (2) it "is titled jointly," or (3) it "is used by the parties in support of the marriage or in some other way that establishes the parties' intent to make it marital property." *Wilburn v. Wilburn*, 403 S.C. 372, 384, 743 S.E.2d 734, 740 (2013). "The mere use of separate property to support the marriage, without some additional evidence of intent to treat it as property of the marriage, is not sufficient to establish transmutation." *Taylor-Cracraft v. Cracraft*, 417 S.C. 570, 576, 790 S.E.2d 423, 426 (Ct.App. 2016).

Here the property is traceable. It is not titled jointly. Husband indicated no intent to make this property marital. Wife's mere use of that property was insufficient to make it marital and the family court erred in finding this property transmuted.

The Court of Appeals' opinion finds the personal property at issue was transmuted because it cannot determine when Husband purchased the new furniture with insurance proceeds. The Court of Appeals' opinion conflicts with S.C. Code § 20-3-630(A). Per S.C. Code § 20-3-630(A)(3), "property acquired by either party in exchange for property described in items (1) and (2) of this section" remains nonmarital property. Per subsection (A)(2), nonmarital property includes "property acquired by either party before the marriage." It is undisputed that Husband purchased this personal property with premarital insurance proceeds. These insurance proceeds are thus nonmarital property. S.C. Code § 20-3-630(A)(2). As the Court of Appeals opinion notes:

> [I]t is undisputed that Husband used his insurance proceeds to replace all of the furniture that was destroyed in the fire. However, it is unclear when each item was replaced. Wife stated the family moved into the rebuilt house thirty days prior to the actual marriage. She agreed that all of the items that were destroyed in the fire were replaced.

Therefore the items he purchased with these proceeds remain nonmarital as items purchased with non marital proceeds remain non marital. S.C. Code § 20-3-620(A)(3). Yet the Court of Appeals finds transmutation because it determined it was unclear when Husband used these proceeds to replace the furniture:

> However, as the family court indicated, there is no testimony in the record specifying *when* the items were replaced, i.e., while the house was being rebuilt, during the thirty-day window prior to the marriage, or after the marriage. Thus, we find the household property was so

commingled that it transmuted into marital property.

(Emphasis in original).

It is immaterial when Husband purchased this property with insurance proceeds since the insurance proceeds are acknowledged to be premarital. Per S.C. Code § 20-3-630(A)(3), "property acquired by either party in exchange for property described in items (1) and (2) of this section" remains nonmarital property. Per subsection (A)(2), nonmarital property includes "property acquired by either party before the marriage." So long as this personal property is traceable to the insurance proceeds–as the Court of Appeals acknowledges–it remains nonmarital.

III. The Court of Appeals erred in finding Husband's pre-marital home was transmuted when it was purchased with pre-marital funds and Husband never showed any intention to treat the property as marital

Husband purchased the home at issue prior to the marriage, obtaining a VA loan to finance it. R. 48; TT, p. 13, lines 11-15. He never conveyed an interest in this home to Wife. R. 48; TT, p. 13, lines 16-21. Shortly before the marriage the house was completely destroyed in a fire and insurance Husband had on the property enabled him to rebuild it. R. 48-49; TT, p. 13, line 22-p. 14, line 10, R. 61; p. 34, line 25-p. 36, line 9. Wife did not contribute funds to rebuilding the house. R. 49; TT, p. 14, line 11-14. She acknowledges making no direct financial contributions to the house. R. 87; TT, p. 119, line 4-13. She also acknowledges she had no ability to contribute financially other than "basically gas money, any little odds and ends, personal stuff, anything that kids needed." R. 90-91; TT, p. 123, lines 8-p. 124, line 13. Nowhere in the record does Wife indicate she made direct contributions to the mortgage.

Wife acknowledged that Husband "pretty much paid for everything." R. 73; TT, p. 81, line 16. The deed was solely in his name. R. 92-94; Defendant's Exhibit 1. He never conveyed an interest in the property to her. R. 48; TT, p. 13, line 16-21. The mortgage was solely in his name. R. 60; TT, p. 32, lines 15-17; R. 95-108; Defendant's Exhibit 2. When he went into Chapter 13 bankruptcy, Wife did not join him. R. 109-171; Defendant's Exhibit 3.

> The spouse claiming transmutation must produce objective evidence showing that, during the marriage, the parties themselves regarded the property as the common

> property of the marriage. Such evidence may include placing the property in joint names, transferring the property to the other spouse as a gift, using the property exclusively for marital purposes, commingling the property with marital property, using marital funds to build equity in the property, or exchanging the property for marital property However, the mere use of separate property to support the marriage, without some additional evidence of intent to treat it as property of the marriage, is not sufficient to establish transmutation.

McMillan v. McMillan, 417 S.C. 583, 591-92, 790 S.E.2d 216, 220 (Ct.App. 2016) (citations omitted).

The key factor in the Court of Appeals' analysis justifying the finding of transmutation is Wife's use of her income "to contribute to the family's household expenses." As noted above, Wife's income from part-time employment was unlikely to cover the expenses of her own children. There is no evidence that Wife's contribution to these expenses allowed Husband to focus his earnings on the payment of the home mortgage; rather Husband had sufficient funds to pay the mortgage both before, during, and after the marriage.

Moreover, there is minimal evidence of Husband's intent to treat this home as marital. Husband purchased the home prior to the marriage, obtaining a VA loan to finance it. R. 48; TT, p. 13, lines 11-15. He never conveyed an interest in this home to Wife. R. 48; TT, p. 13, lines 16-21. Shortly before the marriage the house was completely destroyed in a fire and insurance Husband had on the property enabled him to rebuild it. R. 48-49; TT, p. 13, line 22-p. 14, line 10, R. 61; p. 34, line 25-p. 36, line 9. Nowhere in the record does Wife indicate she made direct contributions to the mortgage.

Further, Husband's testimony directly contradicts this court's determination that he considered the home to be marital property:

> Q. Even though, this was just purchased in your name, this was always our home, isn't that right?
>
> A I don't remember saying that. But, I remembered it being my home. Because, I was the only one sitting at the table, when we close the deal.

R. 60; TT, p. 32, line 10-14.

Most South Carolina cases have reached the conclusion that property is not transmuted by using it in support of the marriage. *Walton v. Walton*, 282 S.C. 165, 318 S.E.2d 14 (1984) (holding that the wife had no equitable interest in the marital home or surrounding acreage that had been owned by the husband prior to the marriage); *Sauls v. Sauls*, 287 S.C. 297, 337 S.E.2d 893 (Ct. App. 1985) (holding that the marital home was not marital property where one spouse purchased and paid for the house before the marriage); *Carroll v. Carroll*, 309 S.C. 22, 419 S.E.2d 801 (Ct. App. 1992) (holding that the husband's condominium, purchased prior to the marriage and titled in his name only, was not transmuted into marital property despite the fact that the couple lived in the condominium for approximately two years); *Thomson v. Thomson*, 377 S.C. 613, 661 S.E.2d 130 (Ct. App. 2008) (finding no evidence that marital home and furnishings that were owned by the wife prior to the marriage were transmuted); *Greene v. Greene*, 351 S.C. 329, 569 S.E.2d 393 (Ct. App. 2002) (holding that transmutation did not occur simply because the family lived in the home and operated a horse business and farm on the surrounding property); *Carpenter v. Burr*, 381 S.C. 494, 673 S.E.2d 818 (Ct. App. 2009) (finding no transmutation of the marital home that was owned by the wife before the marriage even though husband was listed on insurance policies on the house and participated in paying premiums).

"[T]he mere use of separate property to support the marriage, without some additional evidence of intent to treat it as property of the marriage, is not sufficient to establish transmutation." *Murray v. Murray*, 312 S.C. 154, 157, 439 S.E.2d 312, 315 (Ct. App. 1993). In *Murray*, the Court of Appeals agreed the marital residence had not been transmuted because Wife had failed to "produce affirmative objective evidence showing that, during the marriage, the parties themselves regarded the property as the common property of the marriage." *Id.* There is a similar lack of evidence here.

IV. Assuming arguendo, the Court of Appeals properly found Husband's pre-marital home was transmuted, it erred in not remanding the equitable distribution of that home's equity to the family court when the Court of Appeals agreed the family court improperly considered many factors in its finding of transmutation

Four of the six factual findings the family court relied upon to find transmutation were for

facts that pre-dated the parties' marriage. R, 3-4; Final order, pp. 3-4, ¶11(a-d). Those factual findings were:

a. The parties began searching for a house soon after they moved in together and became a combined household of 8 people in a rental house with only 3 bedrooms. They became engaged to marry on February 14, 2003.

b. The parties took a year to find the right house for their family and both of them were instrumental in making the choice.

c. The purchase was financed using Plaintiff's VA eligibility, which required the title to be in Plaintiff's name since they were unmarried.

d. When the house burned in March 2005, and rebuilt the month before the parties' actual marriage, the Defendant was instrumental in reworking the floor plan to add a bedroom and other changes to convenience the combined family.

None of these factual findings can be used to support transmutation because they pre-date the marriage. In *Pittman v. Pittman*, 407 S.C. 141, 754 S.E.2d 501, 506 (2014), the Supreme Court stated, "[t]o be clear, the family court committed an error of law in relying on Wife's premarital contributions to the Business in support of its transmutation finding." Any premarital contributions by Wife to this home cannot be a factor in equitable distribution. However the family court treated these contributions as factors in awarding Wife 50% of the equity in the home. Even if the marital home was transmuted, it was error to award Wife 50% of the equity, as this fails to credit Husband for his premarital contribution to the acquisition of the home. *Fredrickson v. Schulze*, 416 S.C. 141, 785 S.E.2d 392, 397 (Ct.App. 2016) (wife's premarital down payment to marital home was proper factor to consider in equitable distribution); *Bojilov v. Bojilov,* 425 S.C. 161, 819 S.E.2d 791, 804 (Ct.App. 2018) (increasing the award of the equity in the marital home to Wife from 60% to 70%, as the majority of the down payment came from Wife's premarital funds).

The Court of Appeals acknowledges that the family court erred in crediting Wife's premarital "contributions" in determining the home was transmuted. Appendix, p. 7. The family court may have made the same error in awarding Wife 50% of the equity in the home. At a minimum, this issue should be remanded for the family court's reconsideration.

V. Assuming arguendo, the Court of Appeals either overlooked or misapprehended the issues above, it erred in affirming the family court's award of attorney's fees to Wife

If this court reverses or remands the family court's decision, Wife's attorney fee award should be reversed or remanded. *Sexton v. Sexton*, 310 S.C. 501, 503, 427 S.E.2d 665, 666 (1993) (reversing and remanding issue of attorney's fees for reconsideration when the substantive results achieved by trial counsel were reversed on appeal).

Conclusion

There is an inherent contradiction in the Court of Appeals' decision. The Court of Appeals concluded that Wife makes so little money that, even when her children are grown and she no longer needs to support them, she still needs financial support from Husband. However, during the marriage, this same income apparently allowed Wife to provide for herself and her own children and make such a significant contribution to Husband's household expenses that Husband's pre-marital home was transmuted.

This was a mid-life marriage that produced no children and did not impact either party's earning capacity. Wife came into the marriage working part-time as a school bus driver. Wife left the marriage working as a part-time school bus driver. Wife entered the marriage with numerous minor children to support. Wife left the marriage with her children grown. Finally, Wife left the marriage. Given these facts, Husband should not be obligated to provide her support for the remainder of her life.

For all of the foregoing reasons, this Court should grant Petitioner a Writ of Certiorari.

Respectfully submitted,

March 18, 2019

Gregory S. Forman
Attorney for Petitioner
171 Church Street, Suite 160
Charleston, SC 29401
(843) 720-3749
(843) 614-5086 (fax)
attorney@gregoryforman.com

THE STATE OF SOUTH CAROLINA
in The Supreme Court

RECEIVED

MAR 21 2019

S.C. SUPREME COURT

APPEAL FROM RICHLAND COUNTY
In the Family Court

George M. McFaddin, Jr., Family Court Judge

Civil Action No. 2014-DR-40-3574

Ivery M. Chestnut, ... Petitioner,

v.

Mashell Chestnut, ... Respondent.

PROOF OF SERVICE

I hereby certified that on March 19, 2019, I served Petitioner's Petition for a Writ of Certiorari and the Appendix by depositing a copy in the United States mail, postage prepaid, addressed to her attorney of Record, Mr. Daniel K. Felker, Hucks & Felker, LLC, 9610 Two Notch Road, Ste. 5, Columbia SC 29223-1601.

GREGORY S. FORMAN, ESQUIRE
Attorney for Petitioner
Bar ID 065614
171 Church Street, Suite 160
Charleston, SC 29401
(843) 720-3749

March 19, 2019

GREGORY S. FORMAN, P.C.
Attorney at Law
171 Church Street, Suite 160
Charleston, SC 29401
(843) 720-3749
Fax: (843) 614-5086
E-mail: attorney@gregoryforman.com

March 19, 2019

RECEIVED
MAR 21 2019
S.C. SUPREME COURT

South Carolina Court of Appeals
P.O. Box 11629
Columbia, SC 29211

RE: Chestnut v. Chestnut, 2014-DR-40-3574
Appellate Case # 2016-001804

Dear Sir/Madam:

Enclosed please find the proof of service of Mr. Chestnut's petition for a writ of certiorari.

Very truly yours,

Gregory S. Forman, Esquire

Enclosures

cc: Ivery Chestnut (w/enclosures)
Daniel Felker (w/enclosures)
South Carolina Supreme Court (w/enclosure)