

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM FLORENCE COUNTY
Court of Common Pleas

The Honorable Michael Nettles, Circuit Court Judge

Case No. 2019-000949

RECEIVED
JUN 07 2019
SC Court of Appeals
89972

April Jones.....Appellant,

v.

Tim Ringer, Individually and as
Employee/agent of Wal-Mart
Stores, Inc. d/b/a Wal-Mart
Store #630; Wal-Mart Stores,
Inc.; and Wal-Mart Stores
East, L.P.....Respondents,

RESPONDENTS' MOTION TO DISMISS APPEAL AND FOR SANCTIONS

Respondents, Tim Ringer, Individually and as employee/agent of Wal-Mart Stores, Inc. d/b/a Wal-Mart Store # 630, Wal-Mart Stores, Inc., and Wal-Mart Stores East, L.P., hereby move this Honorable Court pursuant to Rules 240 and 269, SCACR, for an Order dismissing Appellant's Notice of Appeal and imposing sanctions upon Appellant and/or her attorneys for the filing of said Notice of Appeal, which, upon information and belief, is frivolous, taken solely for the purposes of delay, and not in compliance with the South Carolina Appellate Court Rules.

PROCEDURAL POSTURE

On May 13, 2019, the trial court entered its Order on Defendant's Motion for Continuance and Entry of Scheduling Order ("May 13, 2019 Order"), in which it set this matter for trial during

the May 28, 2019 term of court. *See* Exhibit A, May 13, 2019 Order. On May 22, 2019, six (6) days prior to the scheduled trial of this matter, Appellant's counsel wrote Chief Administrative Judge Michael Nettles and advised him that a "Rule 601 conflict [had] arisen" as a result of the placement of another matter as first on the Colleton County trial roster for May 28, 2019, and therefore, Appellant's counsel could not proceed to trial in the underlying action as scheduled. *See* Exhibit B, Emails re: Rule 601 Conflict. In response, Judge Nettles informed Appellant's counsel that he conferred with Judge Perry Buckner, who was presiding over the Colleton County trial roster, that Judge Buckner agreed to defer to the underlying action, and as such, the underlying action would be subject to trial on May 28, 2019. *Id.*

The following day, May 23, 2019, immediately prior to the scheduled deposition of Respondent Walmart's Rule 30(b)(6) deposition, the parties conferred by telephone with Judge Nettles, during which time the parties informed the court that counsel for Appellant inquired as to whether Respondents would consent to dismissal of the action pursuant to Rule 40(j), SCRPC. The court informed the parties that if Respondents did not consent to Rule 40(j) dismissal, the case would proceed to trial on May 28, 2019. Further, during the telephone conference, Respondents' counsel advised the Court and Appellant's counsel that Respondents were in the process of filing a motion for sanctions regarding the handling of certain evidence in the matter. Directly after the conclusion of the telephone conference, Respondents' counsel conferred with their clients and informed Appellant's counsel that Respondents did not consent to Rule 40(j) dismissal. Immediately thereafter, Appellant's counsel excused themselves and filed the instant Notice of Appeal of the trial court's May 13, 2019 Order (approximately thirty (30) minutes after the conclusion of the telephone conference with the trial court), returned to the conference room and

handed Respondents' counsel a copy, and cancelled the scheduled Rule 30(b)(6) deposition. *See* Exhibit C, Notice of Appeal.

The Notice of Appeal states: "Plaintiff April Jones appeals the Order of the Honorable Michael Nettles, signed May 13, 2019 and entered May 13, 2019, which resulted in, among other things, subsequent rulings disqualifying counsel. Appellant received written notice of said Order on or about May 13, 2019." *Id.* (emphasis added).

ARGUMENT

A. The May 13, 2019 Order is not appealable.

The subject May 13, 2019 Order provided as follows:

This matter came to be heard before me upon the Defendant's Motion for Continuance and Entry of Scheduling Order. The Court denies the Motion and instead orders as follows:

- 1.) This case is subject to being called for trial during the May 28, 2019 term of court.
- 2.) Defendant Wal-Mart shall provide dates for their 30(b)(6) witness to be deposed the week of May 20, 2019 and waive the ten (10) day notice requirement.
- 3.) Defendants have until Friday, May 17, 2019, to disclose expert witnesses and must at the same time provide a written report disclosing the nature of their testimony to include their full opinions and must produce them for deposition waiving the ten (10) day notice requirement.
- 4.) Plaintiff will have until Wednesday, May 22, 2019 to name counter experts under the same conditions.

AND IT IS SO ORDERED.

See Ex. A, May 13, 2019 Order.

The May 13, 2019 Order is nothing more than an interlocutory scheduling order; as such, it is not an appealable order or decision, and it did not aggrieve Appellant in any manner. *See* Rule 201(a)-(b), SCACR ("Appeal may be taken, as provided by law, from any final judgment,

appealable order or decision...” “Only a party aggrieved by an order, judgment, sentence or decision may appeal.”), and Rule 72, SCRCF (“Appeal may be taken, as provided by law, from any final judgment or appealable order.”¹); *see also Johnson ex rel. D'Andre G. v. Chaudhry*, No. 2013-UP-176, 2013 WL 8508086, at *1 (S.C. Ct. App. May 1, 2013) (dismissing appeal of circuit court’s denial of appellant’s request for an extension of a scheduling order’s deadlines and a discovery sanction order allowing appellant to present only one expert witness at trial on issues of liability, finding decisions not immediately appealable) (citing S.C. Code Ann. § 14-3-330(2)(a) (1977) (“providing appellate jurisdiction to review “[a]n order affecting a substantial right made in an action when such order...in effect determines the action and prevents a judgment from which an appeal might be taken or discontinues the action”), and *Grosshuesch v. Cramer*, 377 S.C. 12, 31, 659 S.E.2d 112, 122 (2008) (“discovery orders, in general, are interlocutory and are not immediately appealable because they do not, within the meaning of the appealability statute, involve the merits of the action or affect a substantial right”).

Additionally, the Order did not result in any “subsequent rulings disqualifying counsel.” *See* Exhibit C, Notice of Appeal. The only subsequent rulings in the matter were issued by the trial court during a telephone conference on May 19, 2019. While the trial court has not yet entered a formal order on its May 19, 2019 rulings, the rulings simply provided additional direction to the parties regarding the timing of expert witness identification and depositions, as well as inspection of evidence by Respondents’ expert.

¹The note to Rule 72, SCRCF, provides: “This Rule 72 parallels, in part, S.C. Code § 14-3-330, but is designed to reduce appeals from interlocutory or intermediate orders in an action. It accords with the modern decisions of the Supreme Court narrowing “dilatatory appeals” from such interlocutory orders as grant or deny motions addressed to the pleadings, motions at trial, and the like. All such questions are left to the appeal from final judgment or order of dismissal...”

B. Appellant did not timely file her Notice of Appeal.

Appellant did not timely file her Notice of Appeal pursuant to Rule 203(d)(1)(B), SCACR, which provides that the “notice of appeal shall be filed with the clerk of the lower court and the clerk of the appellate court within ten (10) days after the notice of appeal is served.” (emphasis added). As set forth above, Appellant filed her Notice of Appeal with the lower court via E-Filing on May 23, 2019, which electronically served the Notice upon Respondents the same day (in addition to the copy hand-delivered to Respondents’ counsel at the time of filing). *See* Exhibit C, Notice of Appeal. However, Appellant was required to file her Notice of Appeal with the clerk of the appellate court by June 3, 2019, within ten (10) days after its service on May 23, 2019. Appellant failed to do so. Appellant’s counsel mailed the Notice of Appeal from their Charleston, South Carolina office to the South Carolina Court of Appeals Clerk of Court in Columbia, South Carolina, on June 3, 2019. *See* Exhibit D, June 3, 2019 Letter to Ct. App. enclosing Notice of Appeal for filing. As shown by this Court’s records, Appellant’s Notice of Appeal was not filed with this Court until June 6, 2019, three (3) days after the requisite filing deadline. *See* Exhibit E, SC Appellate Case Management System Case Information.

Pursuant to Rule 203(d)(3), SCACR, “[i]f the notice of appeal is not timely filed or the filing fee is not paid in full, the appeal shall be dismissed, and shall not be reinstated except as provided by Rule 260.” Appellant failed to timely file her Notice of Appeal with the Clerk of Court of the South Carolina Court of Appeals. Therefore, this Honorable Court must dismiss the Notice of Appeal.

CONCLUSION

Based upon the foregoing, no good ground exists to support Appellant's Notice of Appeal. Upon information and belief, Appellant's counsel signed and filed the Notice of Appeal solely for purposes of delaying the May 28, 2019 trial of this matter, in violation of Rule 201, SCACR, and the South Carolina Frivolous Proceedings Sanctions Act. Moreover, Appellant did not timely file her Notice of Appeal. Therefore, this Honorable Court should dismiss the appeal and impose appropriate sanctions on Appellant and/or Appellant's counsel, including an order to pay Respondents the amount of the reasonable attorneys' fees and costs incurred as a result of the of the filing of the Notice of Appeal, including those associated with this Motion, as well as any other sanction the Court deems appropriate.

Respectfully submitted,



Lee Ellen Bagley, SC Bar No. 7672
Nashiba Boyd, SC Bar No. 78376

GAFFNEYLEWIS LLC

3700 Forest Drive, Suite 400

Columbia, South Carolina 29204

(803) 790-8838 (telephone)

(803) 790-8841 (facsimile)

Attorneys for Respondents

June 7, 2019

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

RECEIVED

JUN 07 2019

SC Court of Appeals

APPEAL FROM FLORENCE COUNTY
Court of Common Pleas

The Honorable Michael Nettles, Circuit Court Judge

Case No. 2019-000949

April Jones.....Appellant,

v.

Tim Ringer, Individually and as
Employee/agent of Wal-Mart
Stores, Inc. d/b/a Wal-Mart
Store #630; Wal-Mart Stores,
Inc.; and Wal-Mart Stores
East, L.P.....

Respondents,

PROOF OF SERVICE

I certify that on June 7, 2019, I served Respondents' Motion to Dismiss Appeal and for Sanctions on Appellant April Jones by depositing a copy of same in the United States Mail, postage prepaid, addressed to her attorneys of record, Lane D. Jefferies, and Kenneth T. David, 32 Ann Street, Charleston, South Carolina, 29403.



Lee Ellen Bagley, SC Bar No. 77672

Nashiba Boyd, SC Bar No. 78376

GAFFNEYLEWIS LLC

3700 Forest Drive, Suite 400

Columbia, South Carolina 29204

(803) 790-8838 (telephone)

(803) 790-8841 (facsimile)

June 7, 2019

Attorneys for Respondents

IN THE STATE OF SOUTH CAROLINA)
COUNTY OF FLORENCE)

IN THE COURT OF COMMON PLEAS
FOR THE 12TH JUDICIAL CIRCUIT
CASE NO: 2017-CP-21-1375

APRIL JONES,

Plaintiff(s),

v.

**ORDER ON DEFENDANT'S MOTION
FOR CONTINUANCE AND ENTRY OF
SCHEDULING ORDER**

TIM RINGER, Individually and as
employee/agent of WAL-MART STORES,
INC. d/b/a WAL-MART STORE # 630;
WAL-MART STORES, INC.; and WAL-
MART STORES EAST, L.P.,

Defendant(s).

This matter came to be heard before me upon the Defendant's Motion for Continuance and Entry of Scheduling Order. The Court denies the Motion and instead orders as follows:

- 1.) This case is subject to being called for trial during the May 28, 2019 term of court.
- 2.) Defendant Wal-Mart shall provide dates for their 30(b)(6) witness to be deposed the week of May 20, 2019 and waive the ten (10) day notice requirement.
- 3.) Defendants have until Friday, May 17, 2019, to disclose expert witnesses and must at the same time provide a written report disclosing the nature of their testimony to include their full opinions and must produce them for deposition waiving the ten (10) day notice requirement.
- 4.) Plaintiff will have until Wednesday, May 22, 2019 to name counter experts under the same conditions.

AND IT IS SO ORDERED.



Florence Common Pleas

Case Caption: April Jones VS Tim Ringer , defendant, et al

Case Number: 2017CP2101375

Type: Order/Scheduling Order

So Ordered

s/ The Honorable Michael G. Nettles #2140

Electronically signed on 2019-05-13 09:56:40 page 3 of 3

Lee Ellen Bagley

From: Nettles, Michael G. Law Clerk (Willie McAbee) <MNettlesLC@sccourts.org>
Sent: Thursday, May 23, 2019 9:21 AM
To: Lee Ellen Bagley
Cc: TeamJefferies; Nettles, Michael G.; Matt Roy Eric; O'Hara, Doris; Nashiba Boyd
Subject: Re: 601 Conflict - April Jones v. Wal-Mart, et al.

Follow Up Flag: Follow up
Flag Status: Flagged

Mr. Jeffries:

Judge Nettles has spoken to Judge Buckner and Judge Buckner has agreed to defer to the Florence case in this matter. Judge Buckner asks that Plaintiff's counsel contact him ASAP in regards to this matter. However, the April Jones v Wal-Mart will be subject to be calling to trial next week.

Sent from my iPhone

> On May 22, 2019, at 7:35 PM, Lee Ellen Bagley <lebagley@gaffneylewis.com> wrote:

>

> *** EXTERNAL EMAIL: This email originated from outside the
> organization. Please exercise caution before clicking any links or
> opening attachments. ***

>

> Thank you. We can be available tomorrow afternoon at the judge's convenience.

>

>> On May 22, 2019, at 6:50 PM, Nettles, Michael G. Law Clerk (Willie McAbee) <MNettlesLC@sccourts.org> wrote:

>>

>> Judge Nettles is also available tomorrow, more likely around noon and the afternoon.

>>

>> Sent from my iPhone

>>

>> On May 22, 2019, at 5:29 PM, Lee Ellen Bagley
<lebagley@gaffneylewis.com<mailto:lebagley@gaffneylewis.com>> wrote:

>>

>>

>> *** EXTERNAL EMAIL: This email originated from outside the
>> organization. Please exercise caution before clicking any links or
>> opening attachments. *** Dear Judge Nettles,

>>

>> Defendants respectfully request an in-person, in-camera audience with the court on this matter, tomorrow or Friday if at all possible. I understand from the conference call on Sunday that you may be in Greenville. We are glad to be available at the court's convenience.

>>

>> Thank you,

>>

>> Lee Ellen Bagley

>>

>> On May 22, 2019, at 2:59 PM, Lane Jefferies <lane@akimlawfirm.com<mailto:lane@akimlawfirm.com>> wrote:

>> P

>> Dear Judge Nettles:

>>

>> A Rule 601 conflict has arisen which prevents this trial going forward next week. To avoid any additional delay beyond that, we intend to proceed with depositions tomorrow and Friday as currently planned.

>>

>> Specifically, the conflict is this: We were advised yesterday that we are number one for trial in Colleton County in Katina Troutman v. South Carolina Dept. of Parks, Recreation, and Tourism. We immediately set a pre-trial conference call today as we were hoping that matter would resolve. Unfortunately, attempts to settle the Troutman matter today were unsuccessful, and the parties are so far apart that there is no reasonable hope for settlement before trial given the pre-trial conference that occurred today.

>>

>> Both Troutman and Jones are major cases, and both involve the same Anastopoulo attorneys of record and trial team. The cases differ in that Troutman is a year older (2016 vs. 2017) and Troutman is ahead on the trial roster (#1 vs. #4). Therefore, we will need to be in Colleton County next week to try the Troutman matter.

>>

>> As mentioned, we intend to proceed with depositions in this case (Jones) as planned tomorrow and Friday, and we are ready to try the case on the very next available roster. I am copying opposing counsel as well as the clerk of court so that everyone is informed, and so that the clerk may update the roster.

>>

>> Best regards,

>> Lane Jefferies

>>

>> --

>> Lane D. Jefferies

>> Trial Lawyer

>> Anastopoulo Law Firm, LLC

>> 32 Ann Street | Charleston, SC 29403

>> Tel: 843-614-8888 | Fax: 843-494-5536

>>

>> https://urldefense.proofpoint.com/v2/url?u=http-3A__www.akimlawfirm.c

>> [om&d=DwIF-g&c=YGvVmrQQ6VQOFx3Z93C9uQ&r=F3OCuIJ46MUoGR2abxvvk8o09BQkD9](https://urldefense.proofpoint.com/v2/url?u=http-3A__www.akimlawfirm.com_d=DwIF-g&c=YGvVmrQQ6VQOFx3Z93C9uQ&r=F3OCuIJ46MUoGR2abxvvk8o09BQkD9)

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>> [<https://urldefense.proofpoint.com/v2/url?u=http-3A__www.akimlawfirm.](https://urldefense.proofpoint.com/v2/url?u=http-3A__www.akimlawfirm.com_d=DwMF-g&c=YGvVmrQQ6VQOFx3Z93C9uQ&r=F3OCuIJ46MUoGR2abxvvk8o09BQkD9dpR8Bn5zSdSwg&m=ibtc7EPCpuXHD7cH-YR2HvsjppjLZvttP_n_h1ifhTNc&s=J04M5)

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>> [TeamJefferies@GoogleGroups.com<mailto:TeamJefferies@GoogleGroups.com>](mailto:TeamJefferies@GoogleGroups.com)

>>

>> Office Locations: Charleston | N. Charleston | Florence | Columbia |

>> Greenville | Myrtle Beach | Raleigh, NC

>>

>> By Appointment Only: Wilmington, NC

>>

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THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM FLORENCE COUNTY
Court of Common Pleas

The Honorable Michael Nettles, Circuit Court Judge

Case No. 2017-CP-21-1375

April Jones.....Appellant

v.

TIM RINGER, Individually and as
employee/agent of WAL-MART
STORES, INC. d/b/a WAL-MART
STORE # 630; WAL-MART STORES,
INC.; and WAL-MART STORES
EAST, L.P.....

Respondents

NOTICE OF APPEAL

Plaintiff April Jones appeals the Order of the Honorable Michael Nettles, signed May 13, 2019 and entered May 13, 2019, which resulted in, among other things, subsequent rulings disqualifying counsel. Appellant received written notice of said Order on or about May 13, 2019.

May 23, 2019

s/ Lane D. Jefferies

Lane Jefferies, Esquire
Anastopoulo Law Firm, LLC
32 Ann Street
(843) 614-8888
Attorney for Appellant

Counsel of Record for Respondents:
Nashiba Boyd and Lee Ellen Bagley
3700 Forest Drive, Suite 400
Columbia, SC 29204
(803) 790-8838

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM FLORENCE COUNTY
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April Jones.....Appellant
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STORES, INC. d/b/a WAL-MART
STORE # 630; WAL-MART STORES,
INC.; and WAL-MART STORES
EAST, L.P.....Respondents

PROOF OF SERVICE

I certify that I have served the Notice of Appeal on Respondents by depositing a copy of it in the United States Mail, postage prepaid, on May 23, 2019, addressed to Respondants attorneys of record, Nashiba Boyd and Lee Ellen Bagley, 3700 Forest Drive, Suite 400, Columbia, SC 29204, and by hand delivering a copy to Nashiba Boyd.

s/ Lane D. Jefferies
Lane Jefferies, Esquire
Anastopoulo Law Firm, LLC
32 Ann Street
(843) 614-8888
Attorney for Appellant

May 23, 2019

Lee Ellen Bagley
Nashiba Boyd
Gaffney Lewis & Edwards, LLC
3700 Forest Drive, Suite 400
Columbia, SC 29204

TOLL FREE: 1 (800) 313-2516
FACSIMILE: 18431-194-5536

REPLY TO ANN STREET OFFICE
FAX @ ANASTOPOULOSLAWFIRM.COM

ANASTOPOULO LAW FIRM

ARMA ANASTOPOULOS (SC)
ERIC M. POULIN (SC)(NC)(GA)(CA)
ROY T. WILLIAMS, IV (SC)

JONATHAN N. ALKIN (SC)
CONSTANCE ANASTOPOULOS (SC)
GEO. ANASTOPOULOS (SC)
GARRETT L. BROWN (SC)
KENNETH T. DAVIS (SC)
STEPHEN B. FIDLER (SC)(GA)
HERB F. GLASS (SC)
J. CAMDEN HODGE (SC)
LAMP D. JEFFERSON (SC)
THOMAS D. KANDLER, II (NC)
BYRON V. LEARY, II (SC)
BENJAMIN W. LEE (SC)
ALPHEUS W. MCCUMBER (SC)
MATTHEW L. NALL (SC)(KY)
INDIA D. SHAW (DC)
SAMANTHA SUTTON (SC)(NC)
CANDY VAN VLAGENBURGH (SC)(IL)(MO)
P. DEAN W. JONES (SC)
DANIEL LEE WILLIAMS, IV (SC)
L. CRADDOCK WILLIAMS (SC)

2017-06-06

June 3, 2019

Sent Via U.S. Mail

Honorable Jenny Abbott Kitchings
Clerk, SC Court of Appeals
Post Office Box 11629
Columbia, SC 29211

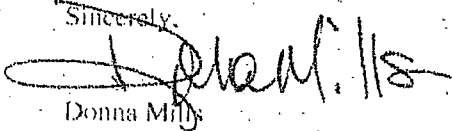
RE: *April Jones v. Wal-Mart Stores, Inc., et al*
Case No.: 2017-CP-21-1375

Dear Ms. Kitchings:

Enclosed for filing with the Court of Appeals is the Notice of Appeal, Proof of Service for the Notice of Appeal, a copy of the Order that is being challenged on this appeal, and a check for the filing fee in the amount of \$250.00.

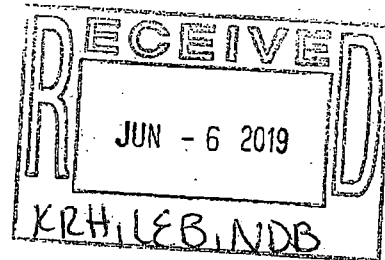
If you should have any questions, please do not hesitate to contact us.

Sincerely,



Donna Mills

Enclosures as stated



MAILING: 32 Ann Street, Charleston, South Carolina 29403

North Charleston: 2170 Ashley Phosphate Road, 3rd Floor, North Charleston, South Carolina 29406 * Greenville: 418 River Street, Greenville, SC 29601
Florence: 150 W. Evans Street, Florence, South Carolina 29501 * Myrtle Beach: 2411 N. Oak Street, Suite 407, Myrtle Beach, South Carolina 29577
Columbia: 1201 Main Street, Suite 1100, Columbia, South Carolina 29101 * Raleigh, NC: 8801 East Park Drive, Suite 301, Raleigh, NC 27617
Wilmington, NC: Appointment Only

ELECTRONICALLY FILED - 2019 MAY 23 2:30 PM - FLORENCE - COMMON PLEAS - CASE#2017CP2101375

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM FLORENCE COUNTY
Court of Common Pleas

The Honorable Michael Nettles, Circuit Court Judge

Case No. 2017-CP-21-1375

April Jones.....Appellant
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May 23, 2019

s/ Lane D. Jefferies

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32 Ann Street
(843) 614-8888
Attorney for Appellant

Counsel of Record for Respondents:
Nashiba Boyd and Lee Ellen Bagley
3700 Forest Drive, Suite 400
Columbia, SC 29204
(803) 790-8838

IN THE STATE OF SOUTH CAROLINA)
COUNTY OF FLORENCE)

IN THE COURT OF COMMON PLEAS
FOR THE 12TH JUDICIAL CIRCUIT
CASE NO: 2017-CP-21-1375

APRIL JONES,

Plaintiff(s),

v.

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employee/agent of WAL-MART STORES,
INC. d/b/a WAL-MART STORE # 630;
WAL-MART STORES, INC.; and WAL-
MART STORES EAST, L.P.,

Defendant(s).

**ORDER ON DEFENDANT'S MOTION
FOR CONTINUANCE AND ENTRY OF
SCHEDULING ORDER**

This matter came to be heard before me upon the Defendant's Motion for Continuance and Entry of Scheduling Order. The Court denies the Motion and instead orders as follows:

- 1.) This case is subject to being called for trial during the May 28, 2019 term of court.
- 2.) Defendant Wal-Mart shall provide dates for their 30(b)(6) witness to be deposed the week of May 20, 2019 and waive the ten (10) day notice requirement.
- 3.) Defendants have until Friday, May 17, 2019, to disclose expert witnesses and must at the same time provide a written report disclosing the nature of their testimony to include their full opinions and must produce them for deposition waiving the ten (10) day notice requirement.
- 4.) Plaintiff will have until Wednesday, May 22, 2019 to name counter experts under the same conditions.

AND IT IS SO ORDERED.

ELECTRONICALLY FILED - 2019 May 13 10:09 AM - FLORENCE - COMMON PLEAS - CASE#2017CP211375

ELECTRONICALLY FILED - 2019 Nov 13 10:03 AM - FLORENCE - COMMON PLEAS - CASE#2017CP2101375

EXHIBIT D



Florence Common Pleas

Case Caption: April Jones VS Tim Ringer , defendant, et al

Case Number: 2017CP2101375

Type: Order/Scheduling Order

So Ordered

s/ The Honorable Michael G. Nettles #2140

Electronically signed on 2019-05-13 09:56:40 page 3 of 3

ELECTRONICALLY FILED - 2019 MAY 13 10:09 AM - FLORENCE - COMMON PLEAS - CASE#2017CP2101375

ELECTRONICALLY FILED - 2019 MAY 23 2:50 PM - FLORENCE - COMMON PLEAS - CASE#2017CP21-1375

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM FLORENCE COUNTY
Court of Common Pleas

The Honorable Michael Nettles, Circuit Court Judge

Case No. 2017-CP-21-1375

April Jones.....Appellant
v.
TIM RINGER, Individually and as
employee/agent of WAL-MART
STORES, INC. d/b/a WAL-MART
STORE # 630; WAL-MART STORES,
INC.; and WAL-MART STORES
EAST, L.P.....Respondents

PROOF OF SERVICE

I certify that I have served the Notice of Appeal on Respondents by depositing a copy of it in the United States Mail, postage prepaid, on May 23, 2019, addressed to Respondents attorneys of record, Nashiba Boyd and Lee Ellen Bagley, 3700 Forest Drive, Suite 400, Columbia, SC 29204, and by hand delivering a copy to Nashiba Boyd.

s/ Lane D. Jefferies
Lane Jefferies, Esquire
Anastopoulos Law Firm, LLC
32 Ann Street
(843) 614-8888
Attorney for Appellant

May 23, 2019

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM FLORENCE COUNTY
Court of Common Pleas

Circuit Court Judge

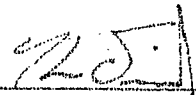
Case No. 2017-CP-21-1375

April Jones.....Appellant
v.
TIM RINGLER, Individually and as
employee/agent of WAL-MART
STORES, INC. d/b/a WAL-MART
STORE # 630; WAL-MART STORES,
INC.; and WAL-MART STORES
EAST, L.P.....Respondents

PROOF OF SERVICE FOR NOTICE OF APPEAL

I certify that the Notice of Appeal was served on Respondents via the E-file system on May 23, 2019, addressed to its attorneys of record, Nashiba Boyd and Lee Ellen Bagley.

June 3, 2019


Kenneth T. David, Esquire
Lane D. Jefferies, Esquire
Anastopoulo Law Firm, LLC
32 Ann Street
Charleston, SC 29403
(843) 614-8888
Attorney for Appellant

[Counsel for Respondent on Following Page]

Counsel of Record for Respondents:
Nashiba Boyd and Lee Ellen Bagley
3700 Forest Drive, Suite 400
Columbia, SC 29204
(803) 790-8838

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AKIM ANASTOPOULO ATTORNEY AT LAW
2587 ASHLEY PHOSPHATE ROAD
NORTH CHARLESTON, SC 29418
(843) 814-8888

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MEMO

Jones v. Walnut

2017-CP-21-1375

Akim A. Anastopoulos

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Case Information: 2019-000949

Court:	Court of Appeals	Classification:	Appeal - Common Pleas - Other
Short Title:	April Jones v. Tim Ringer View Full Title	Case Status:	Pending
Consolidated:			
Filed Date:	06/06/2019	Oral Argument Date:	
Disposition Date:		Disposition Type:	
Remittitur Date:			
Lower Court or Tribunal:	Florence (2017CP2101375)		


- Party Information

Appellate Role	Party Name	Former	Attorney(s)
Appellant	April Jones	N	Lane Douglas Jefferies
Respondent	Tim Ringer	N	Nashiba D. Boyd Lee Ellen Bagley

Views

Display:

Event Information

Filed Date	Event Information	Doc
06/06/2019	Notice of Appeal (Civil) - Initial	



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JUN 07 2019

GAFFNEY LEWIS LLC SC Court of Appeals

3700 Forest Drive, Suite 400, Columbia, SC 29204 | T: 803.790.8838 | F: 803.790.8841 | www.gaffneylewis.com

June 7, 2019

VIA HAND DELIVERY:

Jenny Abbot Kitchings, Clerk of Court
South Carolina Court of Appeals
1220 Senate St.
Columbia, SC 29201


RE: *April Jones v. Tim Ringer, Individually and as employee/agent Wal-Mart Stores, Inc. d/b/a Wal-Mart Store #630; Wal-Mart Stores, Inc.; and Wal-Mart Stores, East, L.P.*
Case No. 2019-000949

Dear Ms. Kitchings:

Enclosed please find the original along with six (6) copies of Respondents' Motion to Dismiss Appeal and for Sanctions in the above matter, along with the Proof of Service for the same. You will also find enclosed our filing fee in the amount of \$50.00.

Should you have any questions or need additional information, please do not hesitate to contact me. Thank you for your kind assistance.

Sincerely,


Katherine R. Helms, PP, SCCP
Paralegal

/krh
Enclosures

cc: Lane Jefferies, Esq. and Kenneth David, Esq. (w/encls.)