

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM FLORENCE COUNTY
Court of Common Pleas

Benjamin H. Culbertson, Circuit Court Judge

Civil Action No. 2017-CP-26-7892

RECEIVED

JUN 27 2019

SC Court of Appeals

Gary Clark, Jr., Appellant,

vs.

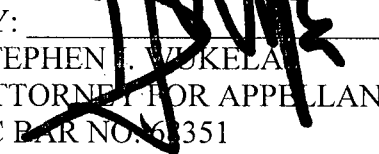
Richard Kenneth Richards, Respondent.

NOTICE OF APPEAL

The Appellant, Gary Clark, Jr., appeals the Order of the Honorable Benjamin H. Culbertson, dated May 30, 2019, denying Appellant's Partial Motion for Summary Judgment. The Circuit Court erred as a matter of fact and conclusion of law in denying Plaintiff's Motion for Partial Summary Judgment in the following particulars:

1. In applying the ordinary care standard of care to the conduct of the Horry County Fire & Rescue Department and its ambulance driver, Scott Burkhardt, rather than the gross negligence or reckless standard or a modified ordinary care standard;
2. In finding a genuine issue of material fact affecting the liability of the Horry County Fire & Rescue Department and their driver, Scott Bukhardt.

WUKELA LAW FIRM

BY: 
STEPHEN J. WUKELA
ATTORNEY FOR APPELLANT
SC BAR NO. 61351
PO BOX 13057
FLORENCE SC 29504
843-669-5634

June 26th, 2019

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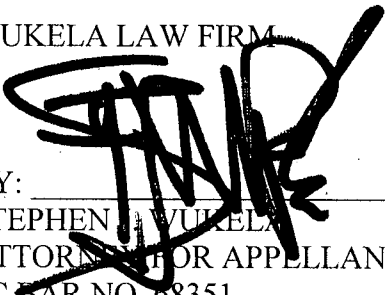
vs.

Richard Kenneth Richards, Respondent.

PROOF OF SERVICE

I certify that I have served the Notice of Appeal on Richard Kenneth Richards by depositing a copy of it in the United States Mail, postage prepaid, on June 26, 2019, addressed to his attorneys of record, Edward R. Cole, PO Box 2116, Myrtle Beach SC 29578; Matthew N. Tyler, PO Drawer 1931, Florence SC 29503; and Edward A. Love, PO Box 1764, Florence SC 29503.

WUKELA LAW FIRM

BY: 
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Florence, SC 29504-3057

(843) 669-5634
FAX (843) 669-5150

July 27, 2010

Honorable Jenny Abbott Kitchings
Clerk, South Carolina Court of Appeals
PO Box 11629
Columbia SC 29211

Re: Gary Clark, Jr. v. Richard Kenneth Richards
Civil Action No. 2017-CP-26-7892

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Dear Ms. Kitchings:

Enclosed please find a Notice of Appeal for filing in your office, along with the following:

1. Certificate of Service;
2. A copy of the May 30, 2019 Order which is to be challenged on appeal;
3. My office check in the sum of One Hundred (\$100.00) Dollars.

By copy of this letter through SC Courts E-Filing, I am notifying the Clerk of the Circuit Court of the filing of this appeal.

With kind regards, I am

Yours truly,

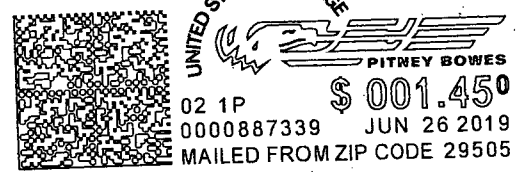
WUKELA LAW FIRM

STEPHEN J. WUKELA

SJW:jpb

cc: Honorable Renee Elvis
Horry County Clerk via E-Filing

Edward R. Cole, Esquire
Matthew N. Tyler, Esquire
Edward A. Love, Esquire



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JUN 27 2019

SC Court of Appeals

FIRST CLASS

WUKELA LAW FIRM
403 SECOND LOOP ROAD
P.O. BOX 13057
FLORENCE, SC 29504

To:
Honorable Jenny Abbott Kitchings
Clerk, South Carolina Court of Appeals
PO Box 11629
Columbia SC 29211