



The South Carolina Court of Appeals

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July 22, 2019

The Honorable Cheryl L. Graham
5200 E Jim Bilton Blvd
St George SC 29477-8020

REMITTITUR

Re: Bank of North Carolina v. Anthony Whitfield(2)
Lower Court Case No. 2014CP1800358, 2014CP1801792, 2014CP1801793
Appellate Case No. 2016-002193

Dear Clerk of Court:

The above referenced matter is hereby remitted to the lower court or tribunal. A copy of the judgment of this Court is enclosed.

Very truly yours,

A handwritten signature in cursive script that reads "V. Claire Allen, Deputy".

CLERK

Enclosure

cc: Andrew Joseph McCumber, Esquire
Brent Souther Halversen, Esquire
Daniel Scott Slotchiver, Esquire

Brian C Duffy, Esquire
David W. Overstreet, Esquire
Paul B. Ferrara, III, Esquire
Steven Raymond Kropski, Esquire
Michael B. McCall, Esquire
Blake Abernethy McKie, Esquire

**THIS OPINION HAS NO PRECEDENTIAL VALUE. IT SHOULD NOT BE
CITED OR RELIED ON AS PRECEDENT IN ANY PROCEEDING
EXCEPT AS PROVIDED BY RULE 268(d)(2), SCACR.**

**THE STATE OF SOUTH CAROLINA
In The Court of Appeals**

Bank of North Carolina, Respondent,

v.

Anthony Whitfield and Cindy Whitfield, Defendants,

Of whom Anthony Whitfield is the Appellant and Cindy
Whitfield is a Respondent.

Anthony Whitfield, Appellant,

v.

David Swanson, Respondent.

Appellate Case No. 2016-002193

Appeal From Dorchester County
Diane Schafer Goodstein, Circuit Court Judge

Unpublished Opinion No. 2019-UP-242
Submitted May 1, 2019 – Filed July 3, 2019

AFFIRMED

Daniel Scott Slotchiver and Andrew Joseph McCumber,
both of Slotchiver & Slotchiver, LLP, and Brent Souther

Halversen, of Halversen & Associates, LLC, all of Mount Pleasant; for Appellant.

Brian C. Duffy and Blake Abernethy McKie, both of Duffy & Young, LLC, of Charleston, for Respondent Bank of North Carolina; Paul B. Ferrara, III, of Ferrara Law Firm, PLLC, of North Charleston, for Respondent Cindy Whitfield; Steven Raymond Kropski, Michael B. McCall, and David W. Overstreet, all of Earhart Overstreet, LLC, of Mount Pleasant, for Respondent David Swanson.

PER CURIAM: Affirmed pursuant to Rule 220(b), SCACR, and the following authorities: *Atl. Coast Builders & Contractors, LLC v. Lewis*, 398 S.C. 323, 328, 730 S.E.2d 282, 284 (2012) ("Under the two issue rule, where a decision is based on more than one ground, the appellate court will affirm unless the appellant appeals all grounds because the unappealed ground will become law of the case." (quoting *Jones v. Lott*, 387 S.C. 339, 346, 692 S.E.2d 900, 903 (2010))); *Mibbs, Inc. v. S.C. Dep't of Revenue*, 337 S.C. 601, 605, 524 S.E.2d 626, 628 (1999) ("Failure to appeal an alternative ground of the judgment will result in affirmance."); *Folkens v. Hunt*, 290 S.C. 194, 205, 348 S.E.2d 839, 846 (Ct. App. 1986) ("An alternative ruling of a lower court that is not excepted to constitutes a basis for affirming the lower court and is not reviewable on appeal.").

AFFIRMED.¹

HUFF, THOMAS, and KONDUROS, JJ., concur.

¹ We decide this case without oral argument pursuant to Rule 215, SCACR.