

90788

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM CHARLESTON COUNTY
Court of Common Pleas
Jennifer B. McCoy, Circuit Court Judge

Case No. 2015-CP-10-0955

RECEIVED

SEP 09 2019

SC Court of Appeals

Palmetto Pointe At Peas Island Condominium Property Owners
Association, Inc. And Jack Love, Individually, and on behalf of all others
similarly situated,

Plaintiffs

v.

Island Pointe, LLC; Complete Building Corporation; Tri-County Roofing,
Inc.; Creekside, Inc.; American Residential Services, LLC d/b/a
ARS/Rescue Rooter Charleston; Andersen Windows, Inc.; Atlantic Building
Construction Services, Inc., n/k/a Atlantic Construction Services, Inc.;
Builder Services Group, Inc. d/b/a Gale Contractor Services; Novus
Architects, Inc., f/k/a SGM Architects, Inc.; Tallent and Sons, Inc.; W C
Services, Inc.; CRG Engineering, Inc.; CertainTeed Corporation; Kelly
Flooring Products, Inc., d/b/a Carpet Baggers; Cornerstone Construction and
Mark Malloy d/b/a Cornerstone Construction; Miracle Siding, LLC and
Wilson Lucas Sales d/b/a Miracle Siding, LLC; Mark Palpoint a/k/a Micah
Palpoint; Elroy Alonzo Vasquez; Chris a/k/a John Doe 61; Alderman
Construction; Stanley's Vinyl Fence Designs; Cohen's Drywall Company,
Inc.; Mosely Concrete; Hand A Framing Construction, LLC a/k/a H&A
Framing Construction, LLC and d/b/a H and A Framing, LLC, H&A
Construction, and Hand A Construction; JMC Construction, Inc.; JMC
Construction, LLC; John Doe 1-15,

Defendants.

-and-

Complete Building Corporation, Inc.,

Third-Party Plaintiff,

vs.

Leonard T. Browne And Christopher N. Union,

Third-Party Defendants.

-and-

Creekside, Inc.,

Third-Party Plaintiff,

vs.

Christopher N. Union,

Third-Party Defendant.

-and-

American Residential Services, LLC,

Third-Party Plaintiff,

vs.

Victor Hugo Hernandez; Hernandez Electric, LLC; Liliana Rojas Flores;
Martin Barr d/b/a Port City Structured Wiring; Keller Electric, LLC; John
Toolin d/b/a John F. Toolin Heat And Air; Russell "Rusty" Hill d/b/a
Rusty's Heating & Air; and Warren Anderson,

Third-Party Defendants.

-of whom -

Palmetto Pointe at Peas Island Condominium Property Owners Association,
Inc. and Jack Love, Individually, and on behalf of all others similarly
situated,

Appellants,

vs.

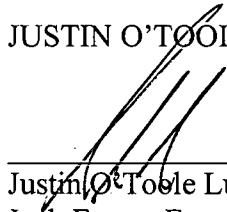
JMC Construction, Inc., and JMC Construction, LLC,

Respondents.

NOTICE OF APPEAL

Palmetto Pointe at Peas Island Condominium Property Owners Association, Inc. and Jack Love, Individually, and on behalf of all others similarly situated, (“Appellants”) timely appeal four (4) Orders of the Honorable Jennifer B. McCoy in the above matter: (1) May 9, 2019 Oral Order Granting Directed Verdict for JMC Construction, Inc. and JMC Construction, LLC (2) July 15, 2019 Form 4 Judgment Order Denying Plaintiffs’ Motion to Vacate Directed Verdict and for a New Trial against JMC Construction, Inc. and JMC Construction, LLC, (3) August 6, 2019 Order Denying Plaintiffs’ Motion to Vacate Directed Verdict and for a New Trial against JMC Construction, Inc. and JMC Construction, LLC, and (4) August 6, 2019 Form 4 Judgment Order Denying Plaintiffs’ Motion for Reconsideration. Copies of these Orders are attached hereto. Appellants received written notice of the entry of the second Order on July 22, 2019 and received written notice of the entry of the third and fourth Orders on August 8, 2019.

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SC Court of Appeals

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Respondents.

PROOF OF SERVICE

The undersigned hereby certifies that on this day, September 6, 2019, he served a true copy of the within and foregoing **NOTICE OF APPEAL** upon all parties to this matter by depositing the same in the U.S. Mail, proper prepaid postage, and as follows:

cc:

Charleston County Clerk of Court
The Honorable Julie J. Armstrong
100 Broad Street
Charleston, SC 29401

The Honorable Jennifer B. McCoy
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Taylor M. Morris
Sohayla R. Townes

September 6, 2019

VIA OVERNIGHT MAIL

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Clerk of Court
South Carolina Court Of Appeals
1220 Senate Street
Columbia, South Carolina 29201

Re: *Palmetto Pointe at Peas Island Condominium Property Owners Association, Inc., et al. v. Island Pointe, LLC, et al.*
Civil Action No.: 2015-CP-10-00955
Appellate Case No.: _____

Dear Ms. Kitchings:

Enclosed for filing, please find the original and one copy of the Notice of Appeal to be stamped and returned in the enclosed self-addressed stamped envelope. Also enclosed please find the following:

1. Original and one copy of the Proof of Service for the Notice of Appeal;
2. Copies of the Orders which are to be challenged on appeal; and
3. A filing fee of \$250.00.

By copy hereof, I am providing a copy of the Notice of Appeal to The Honorable Jennifer B. McCoy and all counsel of record. Further, I am filing the Notice of Appeal with the Charleston County Clerk of Court's office.

Thank you for your assistance, and should you have any questions, please do not hesitate to contact me.

Sincerely,



Laura W. Knight

RECEIVED

cc: The Honorable Clerk of Court for Charleston County
The Honorable Jennifer B. McCoy
All Counsel of Record

SEP 09 2019

SC Court of Appeals

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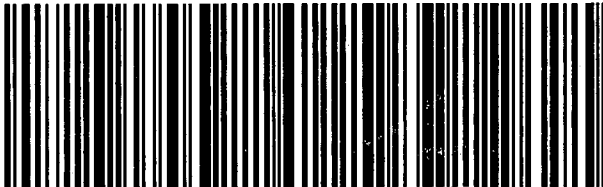
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