

91056

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM BARNWELL COUNTY
Court of Common Pleas
Clifton Newman, Circuit Court Judge

RECEIVED
OCT 07 2019
SC Court of Appeals

Case No. 2018-CP-06-00383

United States of America.....Respondent,

v.

Edgar Payton, Willie Payton, Hattie Payton, F. Hamilton Dicks,
III, the United States of America, acting through the Small Business
Administration, successors in interest to Still & Williams, Inc.,
SC Electric & Gas Co., and David Payton.....Defendants,

Of Whom, Edgar Payton is Appellant.

NOTICE OF APPEAL

Appellant, Edgar Payton, appeals the Order of the Clifton Newman dated August 9, 2019, and a 59(e) Order dated September 6, 2019. Appellant received written notice of entry of this Order on September 9, 2019. A copy of both Orders are attached. This Order is immediately appealable because it strikes Edgar Payton's demand for a jury trial and effectively strikes his statute of limitations defense.

Respectfully submitted,

BEDINGFIELD & WILLIAMS, LLC

By:



DANIEL W. WILLIAMS (SC Bar #10233)
40 Wall Street
Barnwell, SC 29812
(803) 259-2759
Fax: (803) 259-5922
dan@danwilliamsllaw.com

Counsel for Appellant

Barnwell, South Carolina
October 4, 2019

Counsel of Record for Other Parties

Katherine McLean Ryan, #101063
Walker H. Willcox, #72608
WILLCOX, BUYCK, & WILLIAMS, P.A.
PO Box 1909
Florence, SC 29503-1909
(843) 662-3258

Martha M. Rivers, Esquire
RIVERS LAW, LLC
12923 Main St.
Williston, SC 29853
(803) 266-2290

Matthew J. Modica, #10226
Assistant United States Attorney
151 Meeting St., Suite 200
Charleston, SC 294014
(843) 266-1676

Jay E. Bressler
SCANA Services, Inc.
220 Operation Way, Mail Code C222
Cayce, SC 29033
(803) 217-9816

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM BARNWELL COUNTY
Court of Common Pleas
Clifton Newman, Circuit Court Judge

RECEIVED
OCT 07 2019
SC Court of Appeals

Case No. 2018-CP-06-00383

United States of America.....Respondent,

v.

Edgar Payton, Willie Payton, Hattie Payton, F. Hamilton Dicks,
III, the United States of America, acting through the Small Business
Administration, successors in interest to Still & Williams, Inc.,
SC Electric & Gas Co., and David Payton.....Defendants,

Of Whom, Edgar Payton is Appellant.

PROOF OF SERVICE

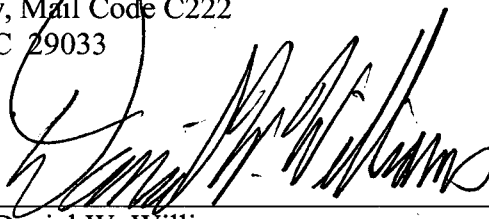
I certify that I have served the Notice of Appeal by depositing a copy of it in the
United States Mail, postage prepaid, on October 4, 2019, addressed to the following:

Katherine McLean Ryan, #101063
Walker H. Willcox, #72608
WILLCOX, BUYCK, & WILLIAMS, P.A.
PO Box 1909
Florence, SC 29503-1909

Martha M. Rivers, Esquire
RIVERS LAW, LLC
12923 Main St.
Williston, SC 29853

Matthew J. Modica, #10226
Assistant United States Attorney
151 Meeting St., Suite 200
Charleston, SC 294014

Jay E. Bressler
SCANA Services, Inc.
220 Operation Way, Mail Code C222
Cayce, SC 29033



Daniel W. Williams
Attorney for Appellant
Post Office Box 616
Barnwell, South Carolina 29812
(803) 259-2759

October 4, 2019
Barnwell, South Carolina

LAW OFFICES
Bedingfield &
WILLIAMS, LLC

WALTER BEDINGFIELD
(1938-2002)

DANIEL W. WILLIAMS

October 4, 2019

RECEIVED
OCT 07 2019
SC Court of Appeals

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

Re: United States of America vs. Edgar Payton, Willie Payton, Hattie Payton, F. Hamilton Dicks, III, the United States of America, acting through the Small Business Administration, successors in interest to Still & Williams, Inc., SC Electric & Gas Co., and David Payton
Civil Action Number: 2018-CP-06-00383

Dear Ms. Kitchings:

In connection to the above aforesaid matter, you will find with required filing fee of \$250.00, the original and one (1) copy each of a Notice of Appeal and Proof of Service prepared in this matter. Please file the originals and return the clocked-in copy of each to me in the stamped reply envelope provided.

By copy of this letter to all counsel of record, I am hereby serving a copy of the Notice of Appeal upon them. Thank you for your courtesies in this matter.

Sincerely,


Daniel W. Williams

DWW:ar
Enc.

cc: Katherine McLean Ryan, Esquire
Walker H. Willcox, Esquire
WILLCOX, BUYCK, & WILLIAMS, P.A.
PO Box 1909
Florence, SC 29503-1909

The Hon. Jenny Abbott Kitchings
October 4, 2019
Page 2

Martha M. Rivers, Esquire
RIVERS LAW, LLC
12923 Main St.
Williston, SC 29853

Matthew J. Modica, Esquire
Assistant United States Attorney
151 Meeting St., Suite 200
Charleston, SC 294014

Jay E. Bressler, Esquire
SCANA Services, Inc.
220 Operation Way, Mail Code C222
Cayce, SC 29033

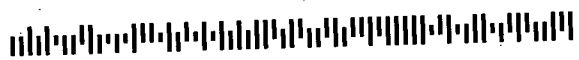
\$1.60
US POSTAGE
FIRST-CLASS
FROM 29812
OCT 07 2019
stamps
com



062S0008502082

RECEIVED
OCT 07 2019
SC Court of Appeals

DANIEL WILLIAMS
PO BOX 616
BARNWELL, SC 29812



The Hon. Jenny Abbott Kitchings
Clerk of Court
South Carolina Court of Appeals
PO Box 11629
Columbia SC 29211-1629