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THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM CHESTERFIELD COUNTY
In the Court of Common Pleas

Paul M. Burch, Circuit Court Judge
William O. Spencer, Special Referee

RECEIVED
OCT 07 2019
SC Court of Appeals

Case No. 2017-CP-13-804; Appellate Case No. 2018-001808

First Citizens Bank & Trust Company and Sadie M. Murvin, Respondents,

v.

Miranda Libby Murvin, a/k/a Miranda Libby Murvin Zimmerman
and Great American Life Insurance Company, Defendants.

Of whom Great American Life Insurance Company is Appellant.

NOTICE OF APPEAL

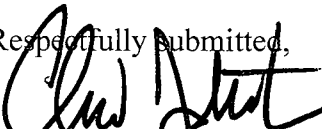
Pursuant to Rule 203 of the South Carolina Appellate Court Rules, Appellant Great American Life Insurance Company appeals from the following order in the above-referenced case:

1. September 6, 2019 Order Denying Supplemental Motion to Vacate (Attached as Exhibit A)

Please note that the parties to this lawsuit already have a pending appeal before this Court in this lawsuit that is fully briefed, bearing Appellate Case No. 2018-001808. By Order of this Court dated May 16, 2019, Appellant was granted leave to file a supplemental motion in the

circuit court pursuant to Rule 60(b), SCRPC, and therefore held Appellate Case No. 2018-001808 in abeyance pending resolution of that supplemental motion. The September 6, 2019 Order which is the subject of this Notice of Appeal denied Appellant's supplemental motion. The appealed order should therefore be joined with Appellate Case No. 2018-001808, and Appellant respectfully requests this Court's direction with respect to the schedule for filing supplemental briefing on the September 6, 2019 Order.

Respectfully submitted,



Chad N. Johnston, S.C. Bar No. 73751
WILLOUGHBY & HOEFER, P.A.
930 Richland Street
Columbia, South Carolina 29201
Telephone: (803) 252-3300
cjohnston@willoughbyhoefer.com

R. Walker Humphrey, II, S.C. Bar No.
79426

WILLOUGHBY & HOEFER, P.A.
133 River Landing Drive, Suite 200
Charleston, South Carolina 29492
Telephone: (843) 619-4426
whumphrey@willoughbyhoefer.com

Attorneys for Appellant
Great American Life Insurance Company

October 7, 2019
Columbia, South Carolina

Other Counsel of Record:

Warren C. Powell, Jr., Esq.
Chelsea J. Clark, Esq.
Bruner, Powell, Robbins, Wall & Mullins, LLC
1735 St. Julian Place, Suite 200
Columbia, South Carolina 29204

Benjamin N. Thompson, Esq.
Samuel A. Slater, Esq.
Wyrick Robbins Yates & Ponton, PLLC
4101 Lake Boone Trail, Suite 300
Raleigh, NC 27607

Attorneys for Respondents

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Of whom Great American Life Insurance Company is Appellant.


PROOF OF SERVICE

This is to certify that I, Elizabeth Kurtz, a paralegal with the law firm Willoughby & Hoefler, P.A., have caused to be served this day one (1) copy of the **Notice of Appeal** by depositing the same in the U.S. Mail to the following:

Kevin M. Barth, Esquire
Barth, Ballenger & Lewis, LLP
P.O. Box 107
Florence, South Carolina 29503-107

Warren C. Powell, Jr., Esquire
Chelsea J. Clark, Esquire
Bruner, Powell, Robbins, Wall & Mullins, LLC
P.O. Box 61110
Columbia, SC 29260-61110

Benjamin N. Thompson, Esquire
Samuel A. Slater, Esquire
Wyrick Robbins Yates & Ponton, LLP
4101 Lake Boone Trail, Suite 300


Elizabeth Kurtz

Columbia, South Carolina
This 7th day of October 2019

WILLOUGHBY & HOEFER, P.A.
ATTORNEYS & COUNSELORS AT LAW

MITCHELL M. WILLOUGHBY
JOHN M.S. HOEFER
RANDOLPH R. LOWELL**
TRACEY C. GREEN
BENJAMIN P. MUSTIAN**
CHAD N. JOHNSTON
ELIZABETH ZECK*
ELIZABETHANN LOADHOLT CARROLL
JOHN W. ROBERTS
R. WALKER HUMPHREY, II***
CHRISTOPHER M. CAMPBELL
ANDREW R. HAND****

ELIZABETH S. MABRY
JAMES PATRICK HUDSON
OF COUNSEL

JOSEPH H. FARRELL, III
SPECIAL COUNSEL

OFFICES:

COLUMBIA

930 RICHLAND STREET
P.O. BOX 8416
COLUMBIA, SC 29202-8416

AREA CODE 803
TELEPHONE 252-3300
FAX 256-8062

CHARLESTON

133 RIVER LANDING DRIVE
SUITE 200
CHARLESTON, SC 29492

AREA CODE 843
TELEPHONE 619-4426
FAX 619-4430

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*ALSO ADMITTED IN TEXAS
**ALSO ADMITTED IN WASHINGTON, D.C.
***ALSO ADMITTED IN CALIFORNIA
****ALSO ADMITTED IN NORTH CAROLINA

October 7, 2019

VIA U.S. MAIL

The Honorable Wanda C. Miles
Chesterfield County Clerk of Court
PO Box 529
Chesterfield, SC 29709-0529

RE: *First-Citizens Bank & Trust Company et al. v. Miranda Libby Murvin et al.*,
C/A No. 17-CP-13-804

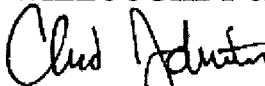
Dear Ms. Miles:

Enclosed, please find two (2) copies of the Notice of Appeal in the above-referenced matter on behalf of the Appellant Great American Life Insurance Company. I would appreciate your acknowledging receipt of this Notice of Appeal by file stamping the extra copy of the Notice and returning it to me via the enclosed envelope.

If you have any questions, or require additional information, please do not hesitate to contract me. With best regards, I am,

Respectfully,

WILLOUGHBY & HOEFER, P.A.


Chad Johnston

Enclosures.

The Honorable Wanda C. Miles

October 7, 2019

Page 2 of 2

cc: The Honorable Jenny Abbott Kitchings (via Hand Delivery w/o enclosures)
Warren C. Powell, Jr., Esquire (via U.S. Mail w/o enclosures)
Chelsea J. Clark, Esquire (via U.S. Mail w/o enclosures)
Benjamin N. Thompson, Esquire (via U.S. Mail w/o enclosures)
Samuel A. Slater, Esquire (via U.S. Mail w/o enclosures)
Kevin M. Barth, Esquire (via U.S. Mail w/o enclosures)

WILLOUGHBY & HOEFER, P.A.
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MITCHELL M. WILLOUGHBY
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OF COUNSEL

JOSEPH H. FARRELL, III
SPECIAL COUNSEL

OFFICES:

COLUMBIA

930 RICHLAND STREET
P.O. BOX 8416
COLUMBIA, SC 29202-8416

AREA CODE 803
TELEPHONE 252-3300
FAX 256-8062

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October 7, 2019

VIA HAND DELIVERY

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

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OCT 07 2019
SC Court of Appeals

RE: *First-Citizens Bank & Trust Company et al. v. Miranda Libby Murvin et al.*,
C/A No. 17-CP-13-804
Appellate Case No. 2018-001808

Dear Ms. Kitchings:

Enclosed for filing please find the original and one (1) copy of the Notice of Appeal in the above-referenced matter on behalf of the Appellant, Great American Life Insurance Company. Please note that this case already has an active appeal, bearing Appellate Case No. 2018-001808, pending before the Court in this matter. By Order of this Court dated May 16, 2019, Appellant was granted leave to file a supplemental motion in the circuit court pursuant to Rule 60(b), SCRCP. By same Order, this Court held Appellate Case No. 2018-001808 in abeyance pending resolution of that supplemental motion. The September 6, 2019 Order which is the subject of this Notice of Appeal denied Appellant's supplemental motion. Appellant Great American Life Insurance Company respectfully suggests that the within appealed order should be joined with Appellate Case No. 2018-001808, and further respectfully requests this Court's direction regarding the appropriate schedule for filing supplemental briefing on the September 6, 2019 Order.

In addition, I would appreciate your acknowledging receipt of this Notice of Appeal by file stamping the extra copy of the Notice and returning it to me via our courier.

By copy of this letter to counsel, I am serving Respondents First-Citizens Bank & Trust Company and Sadie M. Murvin with a copy of this Notice and enclose a proof of service to that effect. By separate letter, I have also filed this Notice of Appeal with the Clerk of Court for Chesterfield County and enclose a copy of same for your records. Also enclosed, please find a check in the amount of \$100 for the filing fee.

If you have any questions, or require additional information, please do not hesitate to contract me. With best regards, I am,

Respectfully,

WILLOUGHBY & HOEFER, P.A.


Chad Johnston

Enclosures.

cc: The Honorable Wanda C. Miles (via U.S. Mail w/o enclosures)
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