

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

**APPEAL FROM CHARLESTON COUNTY
Court of Common Pleas**

**The Honorable Roger Young
And
The Honorable Maite Murphy**

Case No. 2018-CP-10-03315

Alan Nix

Appellant,

v.

**Churchill Park Homeowners Association, Inc., Churchill Park at Parkwest, Inc., Churchill
Park, David Brown and Catherine Brown**

Respondents.

Appellate Case Number 2019-001878

AMENDED NOTICE OF APPEAL

Kevin Mims
Lurizaga Mims
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ATTORNEYS FOR RESPONDENTS
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ATTORNEY FOR RESPONDENTS
Catherine Brown

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Alan Nix appeals eleven orders of the Honorable Roger Young and Maite Murphy in the above cited case. Appellants received written notice of the entry of five orders on 7 October 2019, one of which indicated it ended the case. Alan Nix attempted to file, and in the stead, mailed, a Motion to Reconsider on 17 October 2019. The reason for this issue will be explained under separate cover as required. As of the date of this Notice of Appeal, the Motion of 17 October 2019 does not reflect on the Charleston County Clerk of Court's website, the Appellant has not received a copy of the motion back from the Charleston County Clerk of Court and the Appellant has not received notice of a hearing being scheduled for the motion. A copy of the seventeen page Motion is included as an attachment with this Notice of Appeal.


This Notice of Appeal is being filed on 6 November 2019 to ensure a timely appeal is filed, however, there are several outstanding motions remaining to be heard and/or ruled on.

David Brown clarified last week in a hearing for case 2019-OR-10-11100020 that Kevin Mims is the HOA attorney. Churchill Park Homeowners' Association, Inc. is the HOA for the Churchill Park Subdivision of the Park West development in Mount Pleasant, SC. Mr. Mims also represents several Board entity Persons of the Churchill Park Homeowners' Association, Inc Board of Directors, including but not limited to, Churchill Park at Parkwest Inc. and Churchill Park, an entity incorporated with the SC Secretary of State on 31 July 2003, (eg., not the Subdivision located in the Park West development of Mount Pleasant, SC)

David Brown also clarified last week in the hearing for his and Catherine Brown's restraining order against me, that his assertion of fact in their restraining order complaint that Troy Thames was his attorney, was not actually accurate. Instead, David Brown stated on the record that Mr. Thames represents a currently unnamed insurance company. Hence, clearly Judge Young's order dated 19 September 2018, and filed 25 September 2019, is now known to be inaccurate and defective. Given this newly discovered information, obviously Mr. Kaiser remains David and Catherine Brown's attorney of record, and thus is reflected as such on this 2nd Amended Notice of Appeal. Alan Wilson represents Judge Murphy, Judge Young, and Ms. Luthringer.

December 15, 2019

Respectfully submitted,



Alan G. Nix
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PROOF OF SERVICE

The undersigned certifies that a copy of the (2nd) Amended Notice of Appeal has been served upon the individuals listed below by mailing a copy of the same, postage prepaid, in the United States Mail, addressed as shown below this 16th day of December 2019 to:

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Dated: December 15, 2019

Respectfully submitted,

By:



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