

NOTICE OF APPEAL IN CIVIL CASE

THE STATE OF SOUTH CAROLINA

State Court of Appeals

APPEAL FROM PICKENS COUNTY
THIRTEENTH JUDICIAL CIRCUIT

HONORABLE CHARLES B. SIMMONS
SPECIAL REFEREE

Case No. 2018-CP-39-00585

RECEIVED

MAR 02 2020

SC Court of Appeals

TERENCE "TERRY" CARROLL

Appellant

v.

DEBRA MOWERY and T D REALTY and
UPSTATE RE GROUP, and HAWK-SHADOW
BUSINESS SERVICES, LLC. And DEBRA
MOWERY, REALTOR,

Respondents

NOTICE OF APPEAL

Plaintiff, Terence Carroll, appeals the order of the Honorable Charles Simmons, Master in Equity for Greenville County South Carolina as Special Referee agreed on by parties. The Appellant states to the Court that hearing on the merits was December 17, 2019 and the formal Order of the Court was recorded with the Court, January 6, 2020,

Appellant informs the Court, that the Honorable Judge did not correctly apply the doctrines of Quantum Meruit, Unjust Enrichment, Breach of Contract, Restitution, Constructive Trust, Breach of Trust, Restitution and Intentional Infliction of Emotional Distress and Interest In Real Estate.

Appellant states that Defendants are all one and the same person and entity. Defendants did receive a benefit for the services of Plaintiff and all Defendants have been unjustly enriched as Defendant will have profits of at least \$300,000 from the monies and labors of Plaintiff. Defendants had a unwritten contract with Plaintiff, a "quasi" contract, of which over 90 per cent of contracts are as being oral not written. Defendants were requested to provide Specific Performance of the parties Contract;

Plaintiff did properly file Plaintiff's Notice of and Motion for Reconsideration, Alteration and or Amendment, January 17, 2020. The Court denied the Motion, Order issued: signed by Judge Simmons, February 17, 2020;

THIS NOTICE OF APPEAL is therefore filed of record.

February 17, 2020

s/ James P. O'Connell
Appellant's Plaintiff's Attorney
James P. O'Connell #4259
139 Grace Drive, Easley South Carolina 29640
Phone/Fax 864-220-0005
E mail

Respondent's Defendants' Attorney
Luke Burke and Bruce Bannister
401 Pettigru Street/Post Office Box 10007
Greenville, South Carolina (SC) 29603
Phone 86-298-0064 Facsimile 864-298-0146
E mail

NOTICE TO CLERK OF APPELLATE COURT: Notify S. C. Court Administration immediately upon receipt of this Notice of Appeal, so that the Court Reporter may be directed to prepare the transcript.

THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

APPEAL FROM PICKENS COUNTY
COURT OF COMMON PLEAS

HONORABLE CHARLES B. SIMMONS, SPECIAL REFEREE

CASE NO. 2018-CP-39-00585

TERENCE "TERRY" CARROLL,

APPELLANT

v.

DEBRA MOWERY, TD REALTY, UPSTATE RE
GROUP, HAWK SHADOW BUSINESS SERVICES, LLC
AND DEBRA MOWER REALTOR,

RESPONDENTS

Certificate of Service by Mailing
NOTICE OF APPEAL

RECEIVED

MAR 02 2020

SC Court of Appeals

I, Paralegal for Attorney for Appellant, do hereby affirm that I served by U. S. Mail or did cause the same to be hand delivered a copy Notice of Appeal on the Respondent at the following address, the date written below:

COUNSEL OF RECORD:

ATTORNEY FOR RESPONDENT

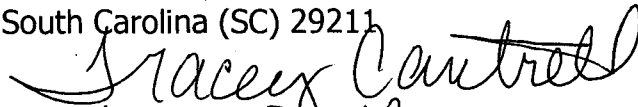
Luke A. Burke, Bannister, Wyatt & Stalvey LLC
401 Pettigru Street, Greenville S C 29601
Phone 864-298-0084 Facsimile 864-298-0146

OTHER PARTY(S) OF RECORD: none

MAILED TO"

South Carolina Court of Appeals
Clerk of Court Jemmy Abbott Kitchings
Post Office Box 11629
Columbia, South Carolina (SC) 29211

FEBRUARY 19, 2020


s/James P. O'Connell

ATTORNEY FOR APPELLANT

Paralegal for JAMES P. O'CONNELL #4259

139 GRACE DRIVE

EASLEY SOUTH CAROLINA 29640

ATTORNEY FOR APPELLANT

James P. O'Connell
Attorney at Law
139 Grace Drive
Easley, South Carolina 29640
Phone 864-220-005 Fax 220-0005
jpatrickoconnell@yahoo.com

RECEIVED
MAR 02 2020
SC Court of Appeals

February 17, 2020

Clerk South Carolina Court of Appeals
Attn: Clerk of Court Jenny Abbott Kitchings
1220 Senate Street
Columbia, South Carolina (SC) 29201
Post Office Box 11629
Columbia, South Carolina (SC) 29211

RE: Terence "Terry" Carroll, Appellant, v. Debra Mowery, TD Realty, Upstate RE Group, Hawk Shadow Business Services, LLC and Debra Mower Realtor, 2018-CP-39-00585, Respondent

Dear Clerk: V. Claire Allen: or, Clerk of Court, Jenny Abbott Kitchings:

- A. Find here enclosed for clocking in and recording for filing, the Appellant's
- B. Notice of Appeal, requested to be filed with the Appeals Court.
- C. The Certificate of Service or Affidavit of Service is also here being filed of Record.

Also, the envelope for returning the clocked in copies is enclosed.

Advise promptly in writing.

Cordially yours,


James P. O'Connell

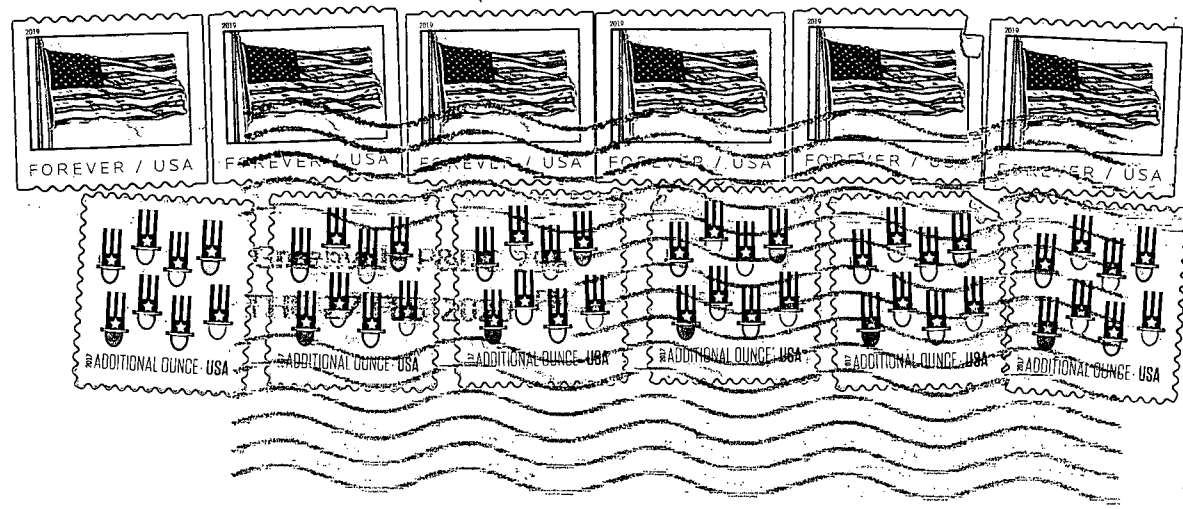
Tracey Cantrell Office Mgr. Paralegal

cantrell.tracey@yahoo.com

encls as stated

cc as indicated

James P. O'Connell, Esquire
Attorney at Law
139 Grace Drive
Easley, SC 29640



RECEIVED

MAR 02 2021

SC Court of Appeals

Clerk S.C. Court of Appeals
Attn: Clerk of Court Jenny Abbott
Kitchings
P.O. Box 11629
Columbia, SC 29211