

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

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

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MAR 02 2020
SC Court of Appeals

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 #4255

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.

JAMES P. O'CONNELL
ATTORNEY AT LAW
139 GRACE DRIVE
EASLEY, SOUTH CAROLINA 29640
PHONE 864-220-0005 FAX 220-0005
jpatrickoconnell@yahoo.com

February 25, 2020

Bruce Bannister, Esq.
Luke A. Burke Esq.
Attorney at Law
Post Office 10007
Greenville, South Carolina (SC) 29603

faxed 864-298-0146

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MAR 02 2020
SC Court of Appeals

RE: Terence "Terry" Carroll v. Debra Mowery et al 2018-CP-39-585
In 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

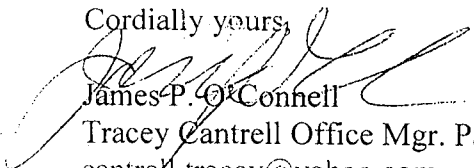
NOTICE OF APPEAL

Dear Bruce: and Luke:

A. Find here served upon you for your client the Plaintiff's Notice of
APPEAL, being filed with the Appeals Court.

Advise promptly in writing, either by facsimile or e mail, or regular mail.

Cordially yours,


James P. O'Connell
Tracey Cantrell Office Mgr. Paralegal
cantrel.tracey@yahoo.com

attachment as noted
cc client

Master in Equity Greenville County as Special Referee Pickens County

CERTIFIED MAIL RETURN RECEIPT REQUESTED 7019 1120 00014298 0205

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

February 25, 2020

Judge Charles B. Simmons, Jr.
Master in Equity Attn: Karen K. Herrmann
Greenville County Courthouse fax: 1-864-467-8401
305 East North Street Ste 313
Greenville, South Carolina (SC) 29601

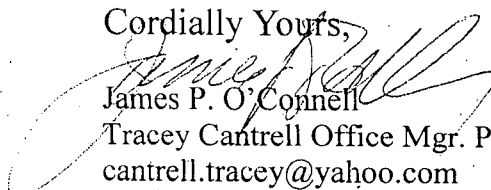
RE: Terence "Terry" Carroll v. Debra Mowery et al 2018-CP-39-585
NOTICE OF APPEAL

Dear Master in Equity. Ms. Herrmann:

A. Find here attached the Plaintiff's Notice of APPEAL, which is being served, on the Master in Equity Greenville for and in the captioned Case above noted.

Advise promptly in writing, of by e mail or facsimile. **RECEIVED**

Cordially Yours,


James P. O'Connell
Tracey Cantrell Office Mgr. Paralegal
cantrell.tracey@yahoo.com

Attachments or enclosures as noted

Cc copy to client, Attorney Bannister/Burke

CERTIFIED MAIL RETURN RECEIPT REQUESTED: 7018 3090 0002 31098270

MAR 02 2020
SC Court of Appeals

James P. O'Connell

Attorney at Law

139 Grace Drive

Easley, South Carolina 29640

Phone/Fax: (864) 220-0005

jpatrickoconnell@yahoo.com

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MAR 02 2020

SC Court of Appeals

February 26, 2020

Clerk South Carolina Court of Appeals

Attn: Clerk of Court Jenny Abbott Kitchings

Attn: Deputy Clerk V. Claire Allen

1015 Sumter Street

Columbia, South Carolina (SC) 29201

Post Office Box 11629

Columbia, South Carolina (SC) 29211

RE: Terence "Terry" Carroll v Debra Mowery et al 2018-CP-39-585

Dear Clerk of Court:

A. Find here enclosed to file of clock in and file of record, the Notice of Appeal for and in the above captioned action

B. Here enclosed is a return envelope for the copy of the clocked in and recorded Notice of Appeal.

Advise promptly in writing.

Cordially yours,

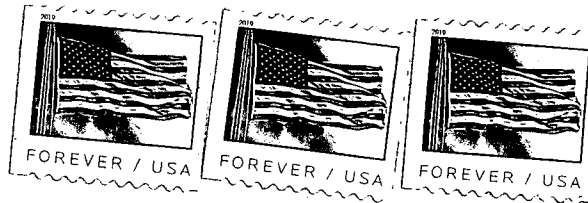
James P. O'Connell

ate

encls as stated

cc to other attorney or party of record

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



RECEIVED

MAR 02 2020

SC Court of Appeals

Clerk South Carolina Court of Appeals
Attn: Clerk of Court of Court of Appeals
P.O. Box 11629
Columbia, SC 29211

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