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THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

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APPEAL FROM LEXINGTON COUNTY  
Court of Common Pleas

Donald B. Hocker, Circuit Court Judge

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Case No. 2018-CP-32-02102

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**RECEIVED**

APR 16 2020

**SC Court of Appeals**

Gerald Nelson,

Appellant,

v.

Christopher S. Harris and Charles L.  
Baughman, Sr. d/b/a K&B Towing,  
LLC,

Respondents.

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NOTICE OF APPEAL

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On January 24, 2020 a Lexington County jury awarded a verdict to the Appellant, which was entered on January 30, 2020. Gerald Nelson appeals the Circuit Court's denial of Appellant's Motion for a New Trial and New Trial *Nisi Additur*.

Appellant filed a Motion for a New Trial and New Trial *Nisi Additur* on January 27, 2020. The Circuit Court considered the Appellant's motion on the briefs only, and indicated its intent to deny Appellant's motions and requested proposed orders from both Appellant and Respondent. On March 12, 2020, the Circuit Court indicated in an email it intended to sign the Respondent's proposed Order, however, the signed Order has not yet been received by Appellant.

Subsequently, on April 1, 2020, in a written order the Court denied Appellant's Motion for a New Trial or a new trial *Nisi Additur* and also granted Defendants' motion for costs and a reduction of the jury verdict pursuant to the offer of judgment rule. This order was electronically transmitted to Appellant on April 1, 2020.

This appeal follows as to the denial of Appellant's motions, the grant of Respondents' motion for a reduction of the verdict for costs and the offer of judgment rule, certain interlocutory issues arising during the case and certain rulings at trial.

In compliance with Rule 203, SCACR, copies of the orders and email are attached hereto.

Dated: April 13, 2020



Melissa G. Mosier, Esquire  
Amanda N. Pittman, Esquire  
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*Attorneys for Appellant*

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P.O. Box 6648  
Columbia, South Carolina 29260  
(803) 782-4100 Phone  
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*Attorneys for Respondents*

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**From:** "Hocker, Donald B. Law Clerk (Madison Hoffman)" <[dhockerlc@sccourts.org](mailto:dhockerlc@sccourts.org)>  
**Date:** March 12, 2020 at 3:17:40 PM EDT  
**To:** "Rogers E. Harrell, III" <[rharrell@murphygrantland.com](mailto:rharrell@murphygrantland.com)>  
**Cc:** "Melissa G. Mosier" <[melissam@mcwhirterlaw.com](mailto:melissam@mcwhirterlaw.com)>, Amanda Pittman <[amanda@mcwhirterlaw.com](mailto:amanda@mcwhirterlaw.com)>, "Hocker, Donald B. Secretary (Regan A. Snow)" <[dhockersc@sccourts.org](mailto:dhockersc@sccourts.org)>  
**Subject:** RE: Nelson v. Harris and Baughman 2018-CP-32-02102

Good afternoon,

Judge Hocker has requested that Mr. Harrell e-file Defendant's Order for him to sign electronically.

Additionally, is there a need for a hearing concerning defendant's motion for costs?

Best,

**Madison Hoffman**  
Law Clerk to  
Honorable Donald B. Hocker  
P.O. Box 972  
100 Hillcrest Square  
Laurens, S.C. 29360  
[dhockerlc@sccourts.org](mailto:dhockerlc@sccourts.org)

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

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APPEAL FROM LEXINGTON COUNTY  
Court of Common Pleas

Donald B. Hocker, Circuit Court Judge

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Case No. 2018-CP-32-02102

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Gerald Nelson,

Appellant,

v.

Christopher S. Harris and Charles L.  
Baughman, Sr. d/b/a K&B Towing, LLC,

Respondents.

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PROOF OF SERVICE

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I certify that I have served the Notice of Appeal on Christopher S. Harris and Charles L. Baughman, Sr., d/b/a K&B Towing, LLC by depositing a copy of it in the United States Mail, postage prepaid, on April 13, 2020 addressed to his attorneys of record, John M. Grantland and Rogers E. Harrell, III, Post Office Box 6648, Columbia, South Carolina 29260.

Dated: April 13, 2020

s/Melissa G. Mosier

Melissa G. Mosier, Esquire

Amanda N. Pittman, Esquire

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*Attorneys for Appellant*

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April 13, 2020

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

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**SC Court of Appeals**

RE: Gerald Nelson v. Christopher S. Harris and Charles L. Baughman, Sr.,  
d/b/a K&B Towing, LLC  
Lexington County Common Pleas 2018-CP-32-02102

Dear Ms. Kitchings:

Enclosed for filing is a notice of appeal in the above case. Also enclosed are the following:

- (1) Proof of service of the notice of appeal on the Respondents
- (2) A copy of the email/order which are to be challenged on appeal
- (3) A filing fee of \$250.00

Sincerely,

*Melissa G. Mosier*

Melissa G. Mosier

MGM/jsb

cc: John M. Grantland, Esq.  
Rogers E. Harrell, III, Esq.  
Post Office Box 6648  
Columbia, South Carolina 29260  
Attorneys for Respondents

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**MCWHIRTER, BELLINGER & ASSOCIATES, P.A.**  
Attorneys at Law

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LEXINGTON, SOUTH CAROLINA 29072

To:

The Honorable Jenny Abbott Kitchings  
Clerk, South Carolina Court of Appeals  
Post Office Box 11629  
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APR 10 2020

SC Court of Appeals