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SC Court of Appeals

STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM HORRY COUNTY
Court of Common Pleas

Benjamin H. Culbertson, Circuit Court Judge

Case No. 2018-CP-26-6419

MB Pizza, LLC, d/b/a Hungry Howie's Pizza
and Brian Edelen Appellants

v.

TCJ Surfside, LLC and CDP Surfside, LLC Respondents

NOTICE OF APPEAL

John M. Leiter
Law Offices of John M. Leiter, PA
405 79th Ave., North, Suite B
Myrtle Beach, SC 29572
(843) 449-1451; jleiter@48th.com
Attorney for Appellants

September 11, 2020

NOTICE OF APPEAL

Appellants, MB Pizza, LLC, d/b/a Hungry Howie's Pizza and Brian Edelen, appeal the Form 4 Order of the Honorable Benjamin H. Culbertson, Granting Partial Summary Judgment in favor of the Plaintiffs, TCJ Surfside, LLC and CDP Surfside, LLC's, which was filed and electronically served on May 13, 2020. Appellants timely filed a Motion to Alter or Amend the Court's Order Granting Plaintiffs' Motion for Summary Judgment, pursuant to Rule 59(e), SCRPC. The Form 4 Order denying the Motion to Alter or Amend was filed and electronically served on August 17, 2020. Copies of the two orders are attached to this Notice as Exhibits A and B, respectively.



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SC Court of Appeals

Benjamin H. Culbertson, Circuit Court Judge

Case No. 2018-CP-26-06419

MB Pizza, LLC, d/b/a Hungry Howie's Pizza
and Brian Edelen Appellants

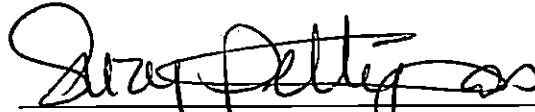
v.

TCJ Surfside, LLC and CDP Surfside, LLC Respondents

PROOF OF SERVICE

I certify that I have served the **Notice of Appeal** by depositing a copy of it in the U.S.
Mail on September 11, 2020, addressed to the attorney of record:

Amanda A. Bailey, Esq.
Burr & Forman, LLP
Founders Centre, Suite 206
2411 Oak Street
Myrtle Beach, SC 29577



Suzy Pettipas, Paralegal to John M. Leiter, Esq.
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Attorney for Appellant

September 11, 2020

LAW OFFICES OF
JOHN M. LEITER, PA
ATTORNEY AND COUNSELOR AT LAW

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SC Court of Appeals

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September 11, 2020

Honorable Jenny Abbott Kitchings
Clerk of the Court
South Carolina Court of Appeals
Post Office Box 116929
Columbia, South Carolina 29211

Re: TCJ Sunrise, et al. v. MB Pizza, LLC, et al.
Appeal from Horry County
Case No. 2018-CP-26-06419

Dear Ms. Kitchings:

Enclosed herewith for filing please find the original and one (1) copy of a **Notice of Appeal** and **Proof of Service** in the above-referenced matter. Please return a file-stamped copy to me in the enclosed self-addressed, stamped envelope.

To cover the cost of filing this Appeal, this firm's check in the amount of \$250.00 is also enclosed.

Thank you for your kind assistance in this regard.

Sincerely yours,

LAW OFFICES OF JOHN M. LEITER, PA



Suzy Pettipas
Paralegal

/smp
Enclosures

cc: Amanda Bailey, Esq.
Brian Edelen

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SC Court of Appeals

LEITER & SNOOK, P.A.

ATTORNEYS AND COUNSELORS AT LAW

405 79th Ave N.

MYRTLE BEACH, SOUTH CAROLINA 29577

To:

Honorable Jenny Abbott Kitchings

Clerk of the Court

South Carolina Court of Appeals

Post Office Box 116929

Columbia, South Carolina 29211