

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

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**RECEIVED**

**Oct 05 2020**

APPEAL FROM ORANGEBURG COUNTY  
Court of Common Pleas

**SC Court of Appeals**

The Honorable James B. Jackson, Jr., Master-in-Equity

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Case No. 2019-CP-38-00053

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Kacey Green and Charinrath Green, ..... Appellants-Respondents,

v.

Mervin Lee Johnson, ..... Respondent-Appellant.

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**NOTICE OF CROSS-APPEAL**

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Respondent-Appellant Mervin Lee Johnson appeals the Amended Order on Damages (**enclosed**) entered by the Honorable James B. Jackson, Jr., Master-in-Equity and filed on August 14, 2020. On August 24, 2020, Appellants-Respondents timely filed a S.C.R.Civ.P. 59 Motion to Alter or Amend the Amended Order on Damages. Notwithstanding the stay of the deadline to appeal imposed by their motion, Appellants-Respondents served a document purporting to be a Notice of Appeal on September 14, 2020. Appellants-Respondents did not withdraw their Rule 59 motion. Respondent-Appellant received on September 18, 2020 an email from the Master-in-Equity indicating that the Court no longer had jurisdiction over Respondents/Plaintiffs' Rule 59 Motion. The Master-in-Equity has not entered an order dismissing that motion. Because the time for appeal was stayed pending the Master-in-Equity's decision on Appellants-Respondents' Rule 59 motion, Respondent-Appellant served on September 25, 2020 his Notice of Cross-Appeal,

which he now files with this Court.

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P.O. Box 1897  
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(864) 594-5300

By:



William B. Darwin, Jr. (S.C. Bar No. 15109)  
Todd R. Flippin (S.C. Bar No. 101197)  
*Attorneys for Respondent-Appellant*

Spartanburg, South Carolina

October 5, 2020

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*Attorneys for Appellants-Respondents*

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**PROOF OF SERVICE**

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The undersigned hereby certifies that on the 5th day of October, 2020, he has served counsel for Respondents with a copy of the **NOTICE OF CROSS-APPEAL** in this matter by mailing copies of the same by United States mail, postage prepaid, to the following addresses:

David R. Williams, Esq.  
Charlie H. Williams III, Esq.  
Virginia W. Williams, Esq.  
WILLIAMS & WILLIAMS  
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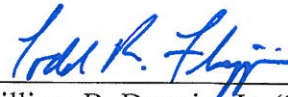
&

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By:



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P.O. Box 1897  
Spartanburg, SC 29304

October 5, 2019

**VIA ELECTRONIC MAIL ONLY**

The Honorable Jenny Abbott Kitchings  
Clerk, South Carolina Court of Appeals  
1220 Senate Street  
Columbia, SC 29201

**RECEIVED**

**Oct 05 2020**

**SC Court of Appeals**

RE: *Kasey D. Green v. Mervin Lee Johnson*  
App. Case No. 2020-001254  
Our File No. 15580

Dear Ms. Kitchings:

Please find enclosed for filing in the above case, the following:

- (1) One (1) original of the Notice of Cross-Appeal of Respondent-Appellant;
- (2) One (1) original of the Proof of Service of the same;
- (3) The Order that is challenged on Appeal; and

Our law firm will place a check in the mail to you today for the \$250.00 filing fee. Please note that pursuant to Rule 203(d)(1)(B), SCACR, we have electronically filed notice with the Orangeburg County Clerk of Court's Office on October 5, 2019, meaning that the Orangeburg County Clerk of Court has notice of this appeal.

Please do not hesitate to contact me if you have any questions or concerns. Otherwise, please file the originals of the Notice of Appeal, Proof of Service, and copy of the Order and return to me the clocked copies via electronic mail.

By copy of this letter and the attached enclosures, I am hereby serving other counsel of record with the enclosed filings.

Sincerely,



Todd R. Flippin

Enclosures

cc: David R. Williams, Esq.  
Charlie H. Williams III, Esq.  
Virginia W. Williams, Esq.  
E. Mason West, Esq.