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THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

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DEC 11 2020  
SC Court of Appeals

APPEAL FROM CHARLESTON COUNTY

J. Derham Cole, Circuit Court Judge

Appellate Case No. 2020-000676

Alan Nix .....Appellant,

v.

Sloan Law Firm, P.A., William H. Sloan, Churchill Park, Churchill Park at Park West, Inc.,  
Churchill Park Homeowner's Association, Inc.....

.....Respondents.

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**CHURCHILL PARK, IMPROPERLY NAMED AS CHURCHILL PARK  
HOMEOWNERS ASSOCIATION, INC. AND IMPROPERLY NAMED AS CHURCHILL  
PARK AT PARKWEST, INC. MOTION TO DISMISS APPEAL**

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Churchill Park, improperly named as Churchill Park Homeowners Association, Inc. and improperly named as Churchill Park at Parkwest, Inc. ("Movants"), pursuant to Rule 260, SCACR, respectfully move this court for an order dismissing them as parties to this appeal filed by Appellant. Movants were not parties to the underlying case and believe they were mistakenly included as parties to this appeal.

This appeal appears to arise from a case originally filed by Appellant in the Court of Common Pleas for Charleston County captioned Nix v. Sloan Law Firm, et al. (2019-CP-10-1496). Like former-Respondents Catherine Brown and David Brown (dismissed by order

entered September 10, 2020), Movants have not been a party to the Sloan case at any time prior to the appeal. Instead, Movants are named Respondents in two separate appeals likewise filed by Appellant (Appellate Case No. 2019-001878 and 2019-001951). Exhibit E to Appellant's Notice of Appeal in the above-referenced matter is an Order entered by Judge Maite Murphy in civil action no. 2018-CP-10-03315, Nix v. Churchill Park, et al., which is subject to a separate appeal. Due to Movants' involvement as named Respondents-in Appellate Case-No.-2019-001878-and 2019-001951 and Appellant's exhibits in this appeal, upon information and belief, Movants were inadvertently added as parties to this matter.

As it is not just or necessary for Respondents to be parties to this appeal, Movants respectfully request this court dismiss them as parties.

Respectfully submitted,

LUZURIAGA MIMS, LLP

By:  \_\_\_\_\_

Kevin W. Mims

50 Immigration St, Suite 200

Charleston, SC 29403

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***ATTORNEYS FOR CHURCHILL PARK,  
IMPROPERLY NAMED AS CHURCHILL PARK  
HOMEOWNERS ASSOCIATION, INC. AND  
IMPROPERLY NAMED AS CHURCHILL PARK  
AT PARKWEST, INC.***

Charleston, South Carolina  
December 9, 2020



December 9, 2020

VIA U.S. MAIL

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

*Re: Appellate Case No.: 2020-000676*

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Dear Ms. Kitchings:

Enclosed please find the original and six (6) copies of our Motion to Dismiss for filing, as well as a check for the \$50 filing fee in the above-referenced matter. I would appreciate your returning a file-stamped copy to me in the envelope provided. By copy of this letter, I am serving a copy of the same on all counsel of record and the pro se appellant. Thank you for your assistance in this matter and if you have any questions, please do not hesitate to contact me.

With kindest regards, I am

Sincerely,

LUZURIAGA MIMS, LLP

s/ Kevin W. Mims

Kevin W. Mims

Cc: Mr. Alan G. Nix (Via U.S. Mail only)  
Alan McCrory Wilson, Esq (Via U.S. Mail only)  
Ryan M. Gunther, Esq. (Via U.S. Mail only)  
Joshua H. Umbarger, Esq. (Via U.S. Mail only)



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**SC Court of Appeals**

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

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