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THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

**RECEIVED**

APPEAL FROM GEORGETOWN COUNTY  
Court of Common Pleas

DEC 29 2020

Brian M. Gibbons, Circuit Court Judge

**SC Court of Appeals**

Case No. 2019-CP-22-01226

Ernest J. Gardner, Jr., individually and as Personal  
Representative of the Estate of Jason F. Gardner..... Appellant,

v.

Michelle N. Gardner .....Respondent.

**NOTICE OF APPEAL**

Ernest J. Gardner, Jr., individually and as Personal of the Estate of Jason F. Gardner,  
appeals the order of the Honorable Brian M. Gibbons dated November 23, 2020, which was  
subsequently e-filed and received by Appellant on November 23, 2020.

December 21, 2020

s/Matthew J. Myers  
Kenneth B. Wingate  
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Sweeny, Wingate & Barrow, P.A.  
1515 Lady Street  
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(803) 256-2233  
Attorneys for Appellant Ernest J. Gardner, Jr.  
Individually

AND

s/Scott W. Hutto  
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Attorney for Appellant Ernest J. Gardner, Jr.  
As Personal Representative of the Estate  
Of Jason F. Gardner, Jr.

Other Counsel of Record:

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v.

Michelle N. Gardner .....Respondent.

**PROOF OF SERVICE**

I certify that I have served a copy of the Notice of Appeal to of the above referenced matter by e-mailing a copy of same to the attorneys of record, on December 21, 2020, as allowed by section (g)(3) of South Carolina Supreme Court Order No. 2020-000447, with a copy of such e-mail included with this Proof of Service.

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Reply to: Main Office

**Matthew J. Myers**  
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mjm@swblaw.com

**SENT VIA MAIL AND EMAIL TO: ctappfilings@sccourts.org**  
South Carolina Court of Appeals  
Attn: Jenny Abbott Kitchings, Clerk of Court  
1220 Senate Street, Columbia, S.C. 29201

RE: Ernest J. Gardner v. Michelle N. Gardner  
Civil Action No.: 2019-CP-22-01226

*Dear Ms. Kitchings:*

Please find enclosed the following for purpose of appealing the above referenced matter:

- (1) Original and one copy of the Notice of Appeal
- (2) Original and one copy of the Proof of Service with copy of email delivery
- (3) A copy of the order being challenged on appeal
- (4) The filing fee of \$250
- (5) An envelope to return the clocked copies

Thank you for your assistance, and please let me know if you need anything further at this time.

Yours truly,

**SWEENY, WINGATE & BARROW, P.A.**



Matthew J. Myers

Enclosures

cc: John R. Chase, Esq. (via mail and email)  
Scott W. Hutto, Esq. (via mail and email)  
Sarah P. Spruill, Esq. (via mail and email)



**S·W·B**

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TO:

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

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