

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM ORANGEBURG COUNTY
Court of Common Pleas

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

Case No. 2020-001254

RECEIVED

Jan 08 2021

SC Court of Appeals

Kacey Green and Charinrath Green, Appellants-Respondents,

v.

Mervin Lee Johnson, Respondent-Appellant.

AMENDED NOTICE OF CROSS-APPEAL

Respondent-Appellant Mervin Lee Johnson appeals the Order denying Defendant's Notice of Motion and Motion to Dismiss, or, in the Alternative, to Set Aside Entry of Default and Order of Damages and Allow Defendant to Responsively Plead (**enclosed**) entered by the Honorable James B. Jackson, Jr., Master-in-Equity on November 4, 2019. Respondent-Appellant also appeals the Amended Order on Damages (**enclosed**) entered by the Master 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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January 8, 2020

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