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THE STATE OF SOUTH CAROLINA
In The Court of Appeals

MAR 18 2021

SC Court of Appeals

APPEAL FROM LEXINGTON COUNTY
Court of Common Pleas

Debra R. McCaslin, Circuit Court Judge

Case No. 2018-CP-32-02102

Iraj Mazloom,

Appellant,

v.

Kimberly Hodge Melton, Michelle
Diann Smart, and Bethan Burgess
Paetow,

Respondents.

NOTICE OF APPEAL

On July 31, 2019, Appellant filed his Summons and Complaint in the Lexington County Court of Common Pleas. A process server personally served Respondent Kimberly Hodge Melton on August 11, 2019, at 423 Winterfield Drive in Lexington, South Carolina. Respondent Kimberly Hodge Melton did not answer or otherwise respond. Therefore, an Affidavit and Motion for Default were filed on October 2, 2019. The Lexington County Clerk of Court filed an Entry of Default as to Respondent Kimberly Hodge Melton on June 16, 2020.

The Circuit Court set Appellant's Damages Hearing for February 16, 2021. Respondent Kimberly Hodge Melton was personally served with notice of the hearing on January 31, 2021, at

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the same address where she was served with the Summons and Complaint. Respondent Kimberly Hodge Melton filed a Motion for Relief from Default on February 9, 2021. Both parties submitted briefs regarding Respondent Kimberly Hodge Melton's motion, and the Circuit Court heard the parties regarding the motion on January 16, 2021.

The Court took the issue under advisement and then issued its Order granting Respondent Kimberly Hodge Melton's motion for relief from default on February 22, 2021. Appellant received notice of the entry of the Order on the same date. Appellant filed his Motion to Reconsider on February 24, 2021, requesting a hearing on the matter. The Circuit Court issued its Order denying Appellant's Motion to Reconsider on March 1, 2021. Appellant received notice of the entry of the Order on the same date. There was no hearing.

This appeal follows as to both the granting of Respondent Kimberly Hodge Melton's Motion for Relief from Default and the denial of Appellant's Motion to Reconsider.

In compliance with Rule 203, *SCACR*, copies of the orders are attached hereto.

Dated: March 9, 2021

/s Chris Cunningham
Chris Cunningham, Esquire
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Other Counsel of Record:

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Monica.towle@mgclaw.com
Attorney for Defendant Kimberly Melton

Tasha L. Smith

From: Tasha L. Smith
Sent: Wednesday, March 10, 2021 12:05 PM
To: 'ewilkerson@clawsonandstaubes.com'; 'Bo Bowman'; 'Monica Towle'
Cc: Amanda Pittman; Chris M. Cunningham; 'Christina Carlos'; Lori Keener; 'Amber N. Gilliam'
Subject: Mazloom v. Melton, et al.
Attachments: Clocked Notice of Intent to Appeal

Morning All,

Hope you all are well today. Please find attached the filed Notice of Intent to Appeal in the above matter filed in response to the Order denying the default. Also, Chris Cunningham in our office will be taking over this case for Amanda. I have copied him on this email too. Please let us know if you have any questions or concerns at this time. Thanks.

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SC Court of Appeals

LAW OFFICES
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EMMA B. TAYLOR
ANGELA J. JOHNSON

March 16, 2021

The Honorable Jenny Abbott Kitchings
SC Court of Appeals
Post Office Box 11629
Columbia, SC 29211

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SC Court of Appeals

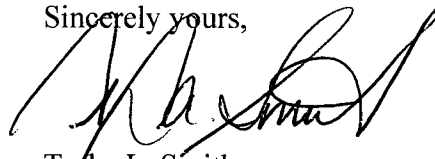
**Re: Iraj Mazloom v. Kimberly Hodge Melton, Michelle Diann Smart and
Bethany Burgess Paetow
Civil Action Number: 2019-CP-32-03055**

Dear Ms. Kitchings:

Enclosed for filing is a Notice of Appeal in the above case. Also enclosed are the following:

- (1) Proof of service of the Notice of Appeal on the Respondents;
- (2) A copy of the email/order which are to be challenged on appeal; and
- (3) A filing fee of \$250.00.

Sincerely yours,



Tasha L. Smith,
Paralegal to Christopher M. Cunningham

Enclosures

cc: William "Bo" Bowman, Esquire
Elizabeth Wilkerson, Esquire
Monica Towle, Esquire

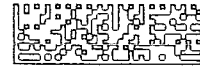
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& Associates

McWHIRTER, BELLINGER & ASSOCIATES, P.A.

119 Attorneys at Law

LEXINGTON, SOUTH CAROLINA 29072

119 EAST MAIN STREET

LEXINGTON, SOUTH CAROLINA 29072

To:

The Honorable Jenny A. Kitchings
SC Court of Appeals
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