

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

**RECEIVED**

JUL 01 2021

**SC Court of Appeals**

APPEAL FROM GEORGETOWN COUNTY  
Court of Common Pleas

Brian M. Gibbons, Circuit Court Judge

Appellate Case No. 2020-001678

Michelle N. Gardner .....Respondent,

v.

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

**PROOF OF SERVICE**

I certify that I have served a copy of the Final Brief of Appellant and Final Reply Brief in the above referenced matter by e-mailing a copy of same to the attorneys of record, on July 1, 2021, 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.

John R. Chase, Esq.  
Haynsworth, Sinkler, Boyd  
134 Meeting Street, Third Floor  
P.O. Box 340 (29402)  
Charleston, SC 29401  
jchase@hsblawfirm.com

Sarah P. Spruill, Esq.  
Haynsworth, Sinkler, Boyd  
ONE North Main, 2nd Floor  
P.O. Box 2048 (29602)  
Greenville, SC 29601-2772  
sspruill@hsblawfirm.com

Respectfully submitted,

HUTTO LAW FIRM, P.A.

*s/Scott W. Hutto*

Scott W. Hutto, SC Bar 15582

Hutto Law Firm, P.A.

PO Box 556

Georgetown, SC 29442

Attorney for Ernest J. Gardner, Jr.,

as Personal Representative of the

Estate of Jason F. Gardner

AND

SWEENEY, WINGATE & BARROW, P.A.

*s/Matthew J. Myers*

Kenneth B. Wingate, SC Bar 8004

Matthew J. Myers, SC Bar 74664

Sweeny, Wingate & Barrow, P.A.

Post Office Box 12129

Columbia, South Carolina 29211

Attorney for Ernest J. Gardner, Jr.,

Individually

Columbia, South Carolina

July 1, 2021



**RECEIVED**

SWEENEY WINGATE & BARROW P.A.

JUL 01 2021

**SC Court of Appeals**

July 1, 2021

Reply to: Main Office

**Matthew J. Myers**  
(803) 256-2233 x7118  
mjm@swblaw.com

**SENT VIA HAND DELIVERY**

The Honorable Jenny Abbott Kitchings  
Clerk of Court of the S.C. Court of Appeals  
1220 Senate Street, Columbia, SC 29201

RE: Michelle N. Gardner v. Ernest J. Gardner, Jr., et al.  
Appellate Case No.: 2020-001678  
Our File: 5330-10329

*Dear Ms. Kitchings:*

Please find enclosed for filing in the above referenced matter the Final Brief of Appellant, Final Reply Brief, Proof of Service of Appellant's final briefs, a Certificate of Compliance, and Record on Appeal.

Please note Appellant submits only one unbound original of the foregoing pursuant to S.C. Supreme Court Order No. 2020-000447. Please also note that the Record on Appeal was served on counsel previously.

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

Yours truly,

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



Matthew J. Myers

Enclosures

cc: John R. Chase, Esq. (via email only w/o Record on Appeal)  
Sarah P. Spruill, Esq. (via email only w/o Record on Appeal)  
Scott W. Hutto, Esq. (via email only w/o Record on Appeal)

## Matthew J. Myers

---

**From:** Matthew J. Myers  
**Sent:** Thursday, July 01, 2021 12:34 PM  
**To:** Chase, John; Spruill, Sarah  
**Cc:** Scott Hutto  
**Subject:** Gardner v. Gardner; Case No. 20-1678  
**Attachments:** Gardner initial brief.pdf; Gardner Reply.pdf; Gardner proof of service.pdf; 20210701125142208.pdf

John & Sarah,

Please find attached the final Brief of Appellant and Reply Brief, along with the Proof of Service, Certificate of Compliance, and cover letter for filing with the Court of Appeals.

Thank you, and I hope you have a nice 4<sup>th</sup> of July.



Matthew J. Myers | *Member*  
Sweeny, Wingate & Barrow, P.A.  
1515 Lady Street, Columbia, SC 29201  
Tel ■ 803-256-2233 Fax ■ 803-256-9177

*This message may be confidential and protected by the attorney/client, attorney work product or other privileges, which are not waived by virtue of it having been sent by electronic mail. This message is intended only for the use of the individual(s) named above and all other use, dissemination, distribution, or copying of the communication is strictly prohibited. If you received this message in error, please immediately delete the message without forwarding, printing, or copying the same.*

**RECEIVED**

JUL 01 2021

SC Court of Appeals

**S·W·B**

SWEENEY WINGATE & BARROW P.A.

1515 LADY STREET, COLUMBIA, SOUTH CAROLINA 29201  
POST OFFICE BOX 12129, COLUMBIA, SOUTH CAROLINA 29211

**TO:**

**VIA HAND DELIVERY**

The Honorable Jenny Abbott Kitchings  
Clerk of Court of the S. C. Court of Appeals  
1220 Senate Street  
Columbia, SC 29201

5330-10329