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Dec 03 2021

SC Court of Appeals

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

APPEAL FROM LANCASTER COUNTY
COURT OF COMMON PLEAS
BRIAN M. GIBBONS, CIRCUIT COURT JUDGE

Case No.: 2020-CP-29-00730

David A. Cox,Respondent,

v.

Lancaster Housing Group, LLC, Russell Sinacori, David Simonini, Allen E. Wiggins, as Trustee of Phoenix GST Trust and Ramsin, LLC, Appellants.

NOTICE OF APPEAL

Appellants Lancaster Housing Group, LLC, Russell Sinacori, David Simonini, Allen E. Wiggins, as Trustee of Phoenix GST Trust and Ramsin, LLC appeals from the order of the Honorable Brian M. Gibbons dated August 18, 2021, received by counsel for Appellant via proper service by the Clerk of Court on August 18, 2021. A copy of the order on appeal is attached hereto and incorporated herein by reference as **Exhibit A** to this Notice of Appeal.

The Motion for Reconsideration has not yet been ruled upon. However, a sale of the subject property has been scheduled, necessitating the filing of this appeal immediately.

[signature appears next page]

Respectfully submitted,

s/ Desa Ballard

Desa Ballard (SC Bar No. 498)

Harvey M. Watson III (SC Bar No. 74053)

BALLARD & WATSON

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ATTORNEYS FOR APPELLANT

December 3, 2021

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Counsel for Respondent

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v.

Lancaster Housing Group, LLC, Russell Sinacori, David Simonini, Allen E. Wiggins, as Trustee
of Phoenix GST Trust and Ramsin, LLC, Appellants.

PROOF OF SERVICE

I, Beth Cogan, an employee with Ballard & Watson, do hereby certify that on December 3, 2021, I served a copy of the **Notice of Appeal**, in the above-captioned case on the following individuals by electronic mail using their email address listed in the Attorney Information System, addressed as follows:

**Keith Martens, Esquire
Hamilton Martens, LLC
keith.martens@hamiltonmartens.com**


Beth Cogan, Paralegal

December 3, 2021

Beth Cogan

From: Beth Cogan
Sent: Friday, December 3, 2021 4:42 PM
To: W. Keith Martens, Esquire; Melia Sweatt
Cc: Desa Ballard
Subject: (Cox v. Lancaster Housing 2020-CP-29-00730) Ltr to COA encl NOA
Attachments: 2021 12 03 Ltr to COA encl NOA.pdf; 2021 12 03 Notice of Appeal.pdf; 2021 08 18 Ex. A. Order.pdf; 2021 12 03 POS NOA.pdf

Mr. Martens,

Please see the attached Notice of Appeal that is being filed for the above-referenced matter.

Kindest Regards,

-Beth

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December 3, 2021

Via Email (ctappfilings@sccourts.org)
The Honorable Jenny Abbot Kitchings
Court of Appeals Clerk of Court
Post Office Box 11629
Columbia, South Carolina 29211

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Dec 03 2021

SC Court of Appeals

Re: *David A. Cox. v. Lancaster Housing Group, LLC, et al.*
Case No.: 2020-CP-29-00730

Dear Ms. Kitchings:

Enclosed for filing please find a Notice of Appeal and Proof of Service for the above-referenced matter. Pursuant to paragraph (c) of the Supreme Court's administrative order dated August 25, 2021 ("Methods of Electronic Filing and Service Under Rule 262 of the South Carolina Appellate Court Rules") a check for the filing fee is being forwarded via US mail.

By copy of this letter and as evidenced by the Proof of Service, these filing has been served upon counsel for the Respondents. A copy is also being filed with the Lancaster County Clerk of Court. Thank you for your time in this matter. If you have any questions, please do not hesitate to contact our office.

With warm personal regards, I am,

Sincerely yours,

Desa Ballard / klc

Desa Ballard
desab@desaballard.com

Enclosures

cc: Via Electronic Filing
Honorable Jeff Hammond
Via Electronic Mail
Keith Martens, Esquire
Russ Sinacori