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Jan 06 2022

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

Appellate Case No.: 2021-001418

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.

SUPPLEMENTAL NOTICE OF APPEAL

Appellants Lancaster Housing Group, LLC, Russell Sinacori, David Simonini, Allen E. Wiggins, as Trustee of Phoenix GST Trust and Ramsin, LLC filed an initial notice of appeal in the above-captioned matter on December 3, 2021. As noted in that filing, there remained a pending motion to reconsider before the lower court, but immediate appeal of the existing order was necessary given the scheduled sale of the subject property pursuant to that order.

Appellants Lancaster Housing Group, LLC, Russell Sinacori, David Simonini, Allen E. Wiggins, as Trustee of Phoenix GST Trust and Ramsin, LLC now further appeal the subsequent “Order Denying Defendants’ Motion for Reconsideration” by the Honorable Brian M. Gibbons dated December 7, 2021. That order was received by counsel for Appellants via proper service by the Clerk of Court on December 7, 2021. A copy of that order now also on appeal in this matter is attached hereto and incorporated herein by reference as **Exhibit B** to this Notice of Appeal.

Respectfully submitted,

s/ Desa Ballard

Desa Ballard (SC Bar No. 498)

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

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ATTORNEYS FOR APPELLANT

January 6, 2022

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Counsel for Respondent

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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 January 6, 2022, I served a copy of the **Supplemental 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

January 6, 2022

Beth Cogan

From: Beth Cogan
Sent: Thursday, January 6, 2022 1:21 PM
To: W. Keith Martens, Esquire; Melia Sweatt
Cc: Desa Ballard
Subject: (Cox. v. Lancaster Housing Group 2021-001418) Ltr to COA encl Supp. Notice of Appeal
Attachments: 2022 01 06 Ltr to COA encl S. Notice of Appeal.pdf; 2022 01 06 Supplemental Notice of Appeal.pdf; Ex B-2021 12 07 Form 4 Denying MTR.pdf; 2022 01 06 POS S. Notice of Appeal.pdf

Good afternoon,

Please see the attached Supplemental Notice of Appeal that is being filed today with the COA.

Kindest Regards,

-Beth

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January 6, 2022

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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Jan 06 2022

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 Supplemental Notice of Appeal and Proof of Service for the above-referenced matter. 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

Desa Ballard
desab@desaballard.com

Enclosures

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