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THE STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

APPEAL FROM CHEROKEE COUNTY  
COURT OF COMMON PLEAS  
HONORABLE J. MARK HAYES, II CIRCUIT COURT JUDGE

Case No. 2012-CP-11-0061

Omni Insurance Company ..... Appellant,

v.

Christopher Wright ..... Respondent.

NOTICE OF APPEAL

**RECEIVED**

APR 25 2013

**SC Court of Appeals**

Omni Insurance Company, through its undersigned counsel, hereby appeals the Order of the Honorable J. Mark Hayes, II, dated October 25, 2012, and filed on November 7, 2012. The postmark for the date the Clerk of Court mailed the Order is November 8, 2012. Appellant served a Motion for Reconsideration on November 13, 2012. The motion was set for a hearing for December 18, 2012, but before the hearing took place, Judge Hayes issued an "Amended Order Superseding Order of October 25, 2012" (Superseding Order). This Superseding Order was dated November 28, 2012, filed on November 30, 2012, and received on December 3, 2012. Appellant appeared at the December 18, 2012, hearing prepared to address the issues raised in its Motion for Reconsideration and not addressed by the Superseding Order. Respondent's counsel did not appear and it was surmised that he understood the Superseding Order to have mooted the Motion to Reconsider, which related to the prior Order. As a result, the Court did not conduct a hearing. Because the prior Order was replaced by the Superseding Order, and because the Court had not yet ruled upon Appellant's

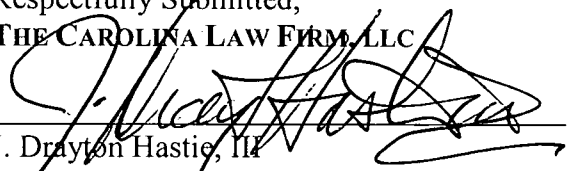
initial Motion to Reconsider, and because there remained issues raised in the initial Motion to Reconsider that existed still under the Superseding Order, Appellant filed and served a Motion to Reconsider the Superseding Order on December 18, 2012. Judge Hayes denied the Motion for Reconsideration by Order dated March 19, 2013, and filed on March 21, 2013. The post mark for the date the Clerk of Court mailed the Order is March 22, 2013, and was received on Monday, March 26, 2013.

Columbia, South Carolina  
April 24, 2013

Other Counsel of Record:

James B. Richardson, Jr.  
1229 Lincoln Street  
Columbia, SC 29201  
Attorney for Respondent  
803.799.9412

Respectfully Submitted,  
**THE CAROLINA LAW FIRM, LLC**



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J. Drayton Hastie, III  
1417 Calhoun Street  
Columbia, South Carolina 29201  
Tel: (803) 319-2157 / Fax: (803) 929-5333  
draytonhastie@sc.rr.com  
**Attorney for Appellant**

THE STATE OF SOUTH CAROLINA  
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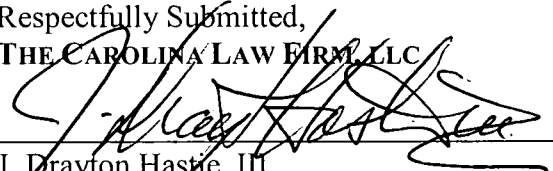
**PROOF OF SERVICE**

I CERTIFY THAT I HAVE SERVED THE Notice of Appeal on Respondent Christopher Wright by depositing a copy of it in the United States Mail, postage prepaid, on April 24, 2013, addressed to their attorney of record, James B. Richardson, Jr., 1229 Lincoln Street, Columbia, SC 29201.

Columbia, South Carolina  
April 24, 2013

Respectfully Submitted,

THE CAROLINA LAW FIRM, LLC

  
J. Drayton Hastie, III

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Columbia, South Carolina 29201

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draytonhastie@sc.rr.com

Attorney for Appellant

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**SC Court of Appeals**



April 24, 2013

**VIA US MAIL**

The Honorable Jenny Abbott Kitchings  
Clerk, S.C. Court of Appeals  
P.O. Box 11629  
Columbia, SC 29211

Re: Omni Insurance Company, Appellant, v.  
Christopher Wright, Respondent  
Civil Action No.: 2012-CP-11-0061

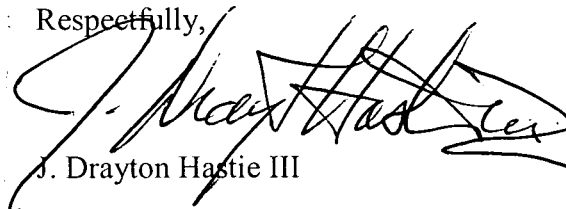
Dear Ms. Kitchings:

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;
- (2) A copy of the Orders which are to be challenged on appeal; and
- (3) A filing fee in the amount of \$100.00.

Thank you for your time and courtesy in this matter. In the event that you require any additional information or have any questions, please feel free to contact me. With kind regards,  
I am,

Respectfully,



J. Drayton Hastie III

JDHIII/jdh  
Enclosure

cc: James B. Richardson, Jr.  
1229 Lincoln Street,  
Columbia, SC 29201

**RECEIVED**  
APR 25 2013

The Carolina  
Law Firm, LLC

**SC Court of Appeals**