



The South Carolina Court of Appeals

JENNY ABBOTT KITCHINGS
CLERK

V. CLAIRE ALLEN
CHIEF DEPUTY CLERK

POST OFFICE BOX 11629
COLUMBIA, SOUTH CAROLINA 29211
1220 SENATE STREET
COLUMBIA, SOUTH CAROLINA 29201
TELEPHONE: (803) 734-1890
FAX: (803) 734-1839
www.sccourts.org

September 15, 2022

The Honorable Julie J. Armstrong
100 Broad St Ste 106
Charleston SC 29401-2210

REMITTITUR

Re: J. Doe v. Design Review Board
Lower Court Case No. 2019CP1003131
Appellate Case No. 2019-001671

Dear Clerk of Court:

The above referenced matter is hereby remitted to the lower court or tribunal. A copy of the judgment of this Court is enclosed.

Very truly yours,

V. Claire Allen

CLERK

Enclosure

cc: Cynthia Holmes
Benjamin Alexander Crute Traywick, Esquire
Alexandra Scott Williams, Esquire

John Phillips Linton, Jr., Esquire
George Trenholm Walker, Esquire

The Supreme Court of South Carolina

J. Doe, Petitioner,

v.

Design Review Board (DRB) of the Town of Sullivan's Island (S.I.), Svjetlana Bilic Damjanovic, Individually and d/b/a Alka Construction Co., Branko Damjanovic, Individually and d/b/a Alka Construction Co., Kenneth Craft, III, Individually and d/b/a Craft Design Co., and Alka Construction Co., Respondents.

Appellate Case No. 2022-001123

RECEIVED

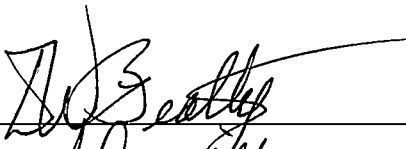
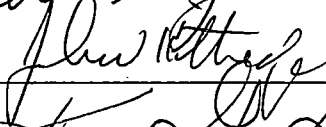
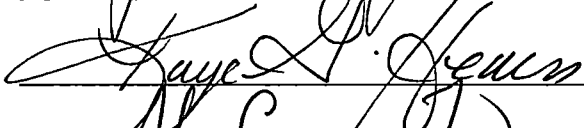


Sep 14 2022

SC Court of Appeals

ORDER

Petitioner has filed a petition for a writ of certiorari to review the court of appeals' dismissal of her appeal on the ground the matter is moot. Petitioner has also filed a "motion for remand with abeyance."

We deny the petition for a writ of certiorari and the motion to remand with abeyance.

	C.J.
	J.
	J.
	J.
	J.

Columbia, South Carolina
September 14, 2022

cc:

Benjamin Alexander Crute Traywick, Esquire

Alexandra Scott Williams, Esquire

John Phillips Linton, Jr., Esquire

George Trenholm Walker, Esquire

Cynthia Holmes

Kenneth Craft, III, Individually and d/b/a Craft Design Co., and Alka Construction Co.

The Honorable Jenny Abbott Kitchings

The South Carolina Court of Appeals

J. Doe, Appellant,

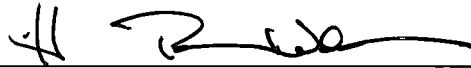
v.

Design Review Board (DRB) of the Town of Sullivans Island (S.I.), Svjetlana Bilic Damjanovic, Individually and d/b/a Alka Construction Co., Branko Damjanovic, Individually and d/b/a Alka Construction Co., Kenneth Craft, III, Individually and d/b/a Craft Design Co., and Alka Construction Co., Respondents.

Appellate Case No. 2019-001671

ORDER

Because this court has already denied Appellant's petition for rehearing, this court will not entertain the subsequent petitions for rehearing. No further action will be taken on those filings.



FOR THE COURT

Columbia, South Carolina

cc:

Cynthia Holmes

Benjamin Alexander Crute Traywick, Esquire

Alexandra Scott Williams, Esquire

John Phillips Linton, Jr., Esquire

George Trenholm Walker, Esquire

FILED
Aug 11 2022

The South Carolina Court of Appeals

J. Doe, Appellant,

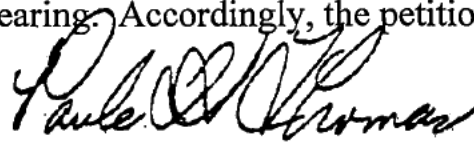
v.

Design Review Board (DRB) of the Town of Sullivans Island (S.I.), Svjetlana Bilic Damjanovic, Individually and d/b/a Alka Construction Co., Branko Damjanovic, Individually and d/b/a Alka Construction Co., Kenneth Craft, III, Individually and d/b/a Craft Design Co., and Alka Construction Co., Respondents.

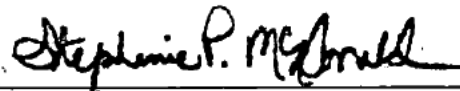
Appellate Case No. 2019-001671

ORDER

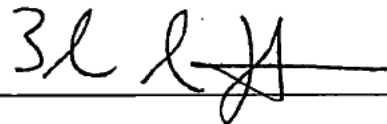
Appellant has filed a motion for panel review and motion to hold time limits in abeyance, which we construe as a petition to rehear the dismissal of this appeal. After careful consideration of the petition, the Court is unable to discover that any material fact or principle of law has been either overlooked or disregarded, and hence, there is no basis for granting a rehearing. Accordingly, the petition for rehearing is denied.



J.



J.



J.

Columbia, South Carolina

FILED
Jun 23 2022

cc:

Cynthia Holmes

Benjamin Alexander Crute Traywick, Esquire

Alexandra Scott Williams, Esquire

John Phillips Linton, Jr., Esquire

George Trenholm Walker, Esquire

The South Carolina Court of Appeals

J. Doe, Appellant,

v.

Design Review Board (DRB) of the Town of Sullivans Island (S.I.), Svjetlana Bilic Damjanovic, Individually and d/b/a Alka Construction Co., Branko Damjanovic, Individually and d/b/a Alka Construction Co., Kenneth Craft, III, Individually and d/b/a Craft Design Co., and Alka Construction Co., Respondents.

Appellate Case No. 2019-001671

ORDER

First, Appellant's motion for a panel to reconsider the single-judge order denying her motion to exceed the page limit is denied. *See* Rule 240(i), SCACR ("The court will not entertain petitions for rehearing on a motion or petition unless the action of the court on the motion or petition has the effect of dismissing or finally deciding a party's appeal.").

Second, Respondents have filed a motion to dismiss this appeal based on mootness. Here, Appellant has appealed an order of the circuit court denying her motion for a preliminary injunction in 2019. The underlying issue involved a final decision of the Design Review Board approving plans for construction of a house. Appellant had sought the preliminary injunction to halt the construction of the approved house. Respondents have now informed this court that the building permit for construction of the house was issued in 2019, and a certificate of occupancy for the house was issued in 2020. The house has been fully built and occupied for two years. Because any judgment by this court will have no practical legal effect, Respondents' motion to dismiss is granted. *See Curtis v. State*, 345 S.C. 557, 549 S.E.2d 591 (2001), *cert. denied*, 535 U.S. 926, 122 S.Ct. 1295, 152 L.Ed.2d 208 (2002) (case becomes moot when judgment, if rendered, will have no practical legal effect upon existing controversy); *Waters v. South Carolina Land*

Resources Conservation Comm'n, 321 S.C. 219, 467 S.E.2d 913 (1996) (justiciable controversy is real and substantial controversy appropriate for judicial determination, as opposed to dispute or difference of contingent, hypothetical or abstract character). The remittitur will be sent as required by Rule 221(b), SCACR.



FOR THE COURT

Columbia, South Carolina

FILED
Mar 31 2022

cc:

Cynthia Holmes

Benjamin Alexander Crute Traywick, Esquire

Alexandra Scott Williams, Esquire

John Phillips Linton, Jr., Esquire

George Trenholm Walker, Esquire