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Nov 14 2022

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

APPEAL FROM GREENVILLE COUNTY
THE HONORABLE G.D. MORGAN, JR., CIRCUIT COURT JUDGE

Appellate Case No. 2022-001301
Case No. 2021-CP-23-03048

Alliance to Preserve the Old White Horse Road Corridor, LLC
And Mary Jean Horney, Appellants,

v.

RP&L, LLC and the Greenville County Planning Commission,..... Respondents.

PETITION FOR WITHDRAWAL AS COUNSEL

The undersigned has acted as counsel for Greenville County Planning Commission at the trial level in the above captioned matter. Attorney Andrew D. Lindemann has appeared on behalf of the Planning Commission and will act as counsel for it in the appeal. By this petition, and pursuant to Rule 264, SCACR, the undersigned seeks the Court’s permission to withdraw as counsel, as it is his plan to retire from the practice of law at the end of 2022.

The client has consented to this withdrawal, as shown by Exhibit “A”. By service of this Petition, opposing counsel is hereby notified of this petition.

Respectfully submitted,

DEVLIN & ANTLEY, P.A.

BY: s/ John R. Devlin, Jr.

John R. Devlin, Jr., S.C. Bar #1667

Post Office Box 10387

Greenville, South Carolina 29603

(864) 242-4050

John.devlin@devlawsc.com

*Counsel for Respondent Greenville County Planning
Commission*

Dated: November 11, 2022

Greenville, SC

John Devlin

From: Tollison, Mark <MTollison@greenvillecounty.org>
Sent: Thursday, November 10, 2022 9:27 AM
To: John Devlin
Subject: RE: Alliance to Preserve the Old White Horse Road Corridor v Greenville County Planning Commission et. al.



John - Thank you for your dogged and loyal representation of the County on this and many other matters over the years. This email shall serve as Greenville County's and County Planning Commission's acknowledgment of your withdrawal on the above captioned case.

Mark

Mark W. Tollison
County Attorney
County of Greenville
301 University Ridge, Suite 2400
Greenville, SC 29601

O/ 864-467-7110
F/ 864-467-5964
mtollison@greenvillecounty.org



From: John Devlin <john.devlin@devlawsc.com>
Sent: Tuesday, November 8, 2022 5:00 PM
To: Tollison, Mark <MTollison@greenvillecounty.org>
Subject: Alliance to Preserve the Old White Horse Road Corridor v Greenville County Planning Commission et. al.

Dear Mark:

This will confirm our several conversations over the last year or so in which I have advised you of my plan to retire from the practice of law by the end of 2022. In order to withdraw from representation of the Greenville County Planning Commission in the above captioned appeal, I am obligated to give proper written notice to my client. Please accept this email as that notice. I am sure that Andrew Lindemann will handle this matter in his usual competent manner. I would appreciate a response to this email so that I can provide it to the Court of Appeals in support of my petition.

I will send you a copy of my petition for withdrawal when it is filed.

It has been a great pleasure and a privilege to work for the County of Greenville over the many years during which I have practiced. Thank you for allowing me that opportunity.

John R. Devlin, Jr.

Devlin Antley

ATTORNEYS AT LAW

27 Cleveland Street, Suite 201 (29601)

Post Office Box 10387

Greenville, SC 29603

864-242-4050-office

864-242-4277-fax

john.devlin@devlawsc.com

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CERTIFICATE OF SERVICE

Pursuant to Section (d)(1) of the Supreme Court’s Order RE: Methods of Electronic Filing and Service Under Rule 262 of the South Carolina Appellate Court Rules (As Amended May 6, 2022), the undersigned employee of Devlin & Antley, P.A., counsel for the Appellant Insurance Reserve Fund, a Division of the State Fiscal Accountability Authority of South Carolina, does hereby certify that service of the **Petition for Withdrawal of Counsel** was made upon all counsel of record by email only at the below email addresses on this the 11th day of November 2022, as follows:

- William M. Wilson, III, Esq.
bwilson@wyche.com
- William F. Childers, Jr., Esq.
wchilders@etblawfirm.com
- Townes Boyd Johnson, III, Esq.
tjohnson@sc.legal

s/ John R. Devlin, Jr. _____

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DEVLIN & ANTLEY, P.A.

ATTORNEYS AT LAW

POST OFFICE BOX 10387

GREENVILLE, SOUTH CAROLINA 29603-0387

www.devlawsc.com

john.devlin@devlawsc.com

PHONE (864) 242-4050

STREET ADDRESS:
201 W. McBEE AVENUE
SUITE 450
GREENVILLE, SC 29601

JOHN R. DEVLIN, JR.

November 11, 2022

VIA EMAIL ONLY

The Honorable Jenny Abbott Kitchings, Clerk of Court
South Carolina Court of Appeals
1220 Senate Street
Columbia, South Carolina 29201

RE: Alliance to Preserve the Old White Horse Road Corridor, LLC and
Mary Jean Horney vs. RP&L, LLC and the Greenville County Planning Commission
Appellate Case No. 2022-001301

Dear Ms. Kitchings:

In accordance with Section (b)(1) of the Supreme Court's Order RE: Methods of Electronic Filing and Service Under Rule 262 of the South Carolina Appellate Court Rules, please find attached for filing a Petition for Withdrawal as Counsel in the above referenced matter. In accordance with Section (d)(1) of this same order, I am hereby serving a copy on opposing counsel by email only as indicated in the attached Certificate of Service.

Under separate cover, I will be mailing the appropriate filing fee of \$25.00 for this Petition for Withdrawal of Counsel.

If you have any questions, please let us know. Thank you for your assistance.

Yours very truly,

s/ Laura Kirwan

Laura Kirwan
Legal Assistant to John R. Devlin, Jr.

\llk

Attachments

cc: William F. Childers, Jr., Esq. (via email only)
William M. Wilson III, Esq. (via email only)
Townes B. Johnson III, Esq. (via email only)