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**Jun 07 2023**

**S.C. SUPREME COURT**

THE STATE OF SOUTH CAROLINA  
In the Supreme Court

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APPEAL FROM GEORGETOWN COUNTY  
Court of Common Pleas

The Honorable R. Kirk Griffin, Circuit Court Judge

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Case No. 2019-CP-22-00212  
Appellate Case No. 2023-00646

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The Gulfstream Café, Inc. ....Appellant,

v.

Georgetown County; Georgetown County Council;  
and Steve Goggans, individually and in his official  
capacity as Georgetown County Councilmember..... Respondents.

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**MOTION FOR LEAVE TO FILE  
AMENDED NOTICE OF APPEAL**

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Appellant The Gulfstream Café, Inc. (“Appellant”), respectfully requests leave to file an Amended Notice of Appeal on the following grounds:

1. On April 24, 2023, Appellant served and filed a Notice of Appeal with this Court from the orders of The Honorable R. Kirk Griffin entered on February 3, 2023, and on April 3, 2023.
2. On May 26, 2023, Appellant received electronic notice of the entry of another order in this same case by The Honorable R. Kirk Griffin that awarded costs from the lower court action to the Respondents.

3. Appellant is still within the required time period to serve and file a notice of appeal from this latest order and seeks to join that appeal to this pending appeal.
4. Appellant contends that if the Court reverses either Judge Griffin's order of April 24, 2023, or his order of February 3, 2023, then Appellant would be entitled to an automatic reversal of this latest order awarding costs to the Respondents. Therefore, it would be in the interests of judicial economy to permit the amendment of the Notice of Appeal to include this latest order of Judge Griffin in this appeal rather than require the filing of a separate appeal.
5. Contemporaneous with the filing of this motion, Appellant is filing and serving the Amended Notice of Appeal and a Notice of Filing of the Amended Notice of Appeal.

Based on the foregoing, Appellant respectfully requests that the Court accept the Amended Notice of Appeal for filing to include Judge Griffin's order of May 26, 2023, in this appeal.

*[signature on the following page]*

Respectfully submitted,

*s/ Sean M. Foerster*

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June 7, 2023