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Jul 19 2023

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM BEAUFORT COUNTY
Court of Common Pleas

Honorable Marvin H. Dukes, III, Master In Equity and Special Circuit Court Judge

APPELLATE CASE NO.: 2022-000475

Coffin Point Plantation Homeowners Association, Inc.

Appellants,

vs.

The State of South Carolina, Estate of Charles H. Lyman, The St. Helena Company, Its Successors or Assigns, The Estate of J.D. Cameron a/k/a J. Donald Cameron, The Estate of J.E. McTeer, Wilma Clark, Jeanine Skok, Lawrence Casler, Dean Morrissey, Carol Morrissey, Ralph Netherland, Gloria Netherland, Special Trust of William B. Fahrner, Mark Heles, Beverly Heles, David Smith, Lynn Smith, LiLi, LLC, Revocable Living Trust of Thomas Walterhoefer, Ceclily Deegan McMillan, Steven Teets, Lucinda Teets, Beverly Boulware, Russell Waldon, Nicolette Waldon, David Shaffer, Delora Cook, Gerald Hartwig, Carol Hartwig, Paulette Brown, Benjamin Couch, Thomas S. Clark Family Living Trust. Euniceteen Diggs, Janet Kathleen Reynolds Trust, Slade Family Revocable Trust, David C. Strother, Andrew Seward, Ashley Heath Madilon, Arnold Hollis, Lillian Hollis, Jennifer Allen, Zia As Exchange Company, LLC, Qualified Intermediary for Barbara J. Bailey Limited Partnership, Travis Washington, Janet Embly, Trustee and Individually, William S. Embly, Trustee and Individually, Scott Simmons Omari Trust, Mary Hudson, RachelleCarolynne Owens Revocable Trust, Gerald Hartwig, Carol Hartwig, Gerald L. Wayne, Vivian M. Wayne, Lorrie Gaskin Germann, Grant Martin Germann, Gregory J. Giardina, Melissa Basenburg, Mark M. Hazard, Micah L. Myers, Jennifer J. Myers, John Joseph Edwards, Nancy Jean Edwards, Preston Ventures, LLC, Donald Lunardini, Kristina Barbara Moore Lunardini, Melissa Uhlman Revocable Trust and All Other Persons Known or Unknown Having Any Interest, Title, Estate or Interest In Or Lien Upon the Real Property Described in the

Complaint Herein Through the Above Defendants or Any Other Source Being Designated Collectively As John Doe and Mary Roe Including All Persons Who May Be Deceased, Minors, Persons in the Armed Forces of the United States of America, Insane or Incompetent Persons, and All Other Persons Under Any Other Disability Who Might Have or Claim to Have Any Right, Title or Interest in or Lien Upon the Real Property Described in the Complaint.

Respondents.

RETURN OF THE APPELLANT COFFIN POINT HOMEOWNERS ASSOCIATION, INC.
TO THE MOTION OF STATE OF SOUTH CAROLINA TO DIRECT APPELLANT TO
FILE SUPPLEMENTAL RECORD AND STAY TIME FOR FILING FINAL BRIEFS

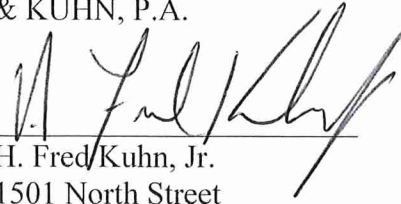
The Respondent State of South Carolina has moved for this Court to direct the Appellant to file a Supplemental Record on Appeal containing the Second Amended Complaint and to stay the time for filing final briefs. Although no party designated the Second Amended Complaint to be included in the Record on Appeal, the Appellant Coffin Point Homeowners Association, Inc. agrees that inclusion of the Second Amended Complaint is in the best interest of justice and may assist this Court in making an informed and just decision. Accordingly, the Appellant Coffin Point Homeowners Association, Inc. consents to the Motion of the State of South Carolina to direct Appellant to file the requested Supplemental Record and to stay the time for filing final briefs. Appellant is serving and filing the Supplemental Record as a separate document and asks, with the consent of the State, that the Court please accept it.

[signature on following page]

Respectfully submitted,

MOSS & KUHN, P.A.

By:



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Beaufort, South Carolina
July 19, 2023

Attorneys for the Appellant

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Complaint Herein Through the Above Defendants or Any Other Source Being Designated Collectively As John Doe and Mary Roe Including All Persons Who May Be Deceased, Minors, Persons in the Armed Forces of the United States of America, Insane or Incompetent Persons, and All Other Persons Under Any Other Disability Who Might Have or Claim to Have Any Right, Title or Interest in or Lien Upon the Real Property Described in the Complaint.

Respondents.

CERTIFICATE OF SERVICE

The undersigned certifies that the **Return to Appellant Coffin Point Homeowners Association, Inc. to the Motion of State of South Carolina to Direct Appellant to File Supplemental Record and Stay Time for Filing Final Briefs** to which this certificate is affixed, was served upon the parties to this action by depositing a copy of the same, enclosed in a first class, postpaid wrapper properly addressed to the following:

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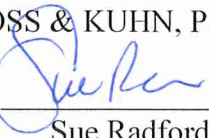
Melissa Uhlman Revocable Trust
81 Sea Pines Drive
St. Helena Island, South Carolina 29920

in a post office or official depository under the exclusive care and custody of the United States

Postal Service on July 19, 2023.

MOSS & KUHN, P.A.

By:


Sue Radford

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July 19, 2023

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SC Court of Appeals

The Honorable Jenny Abbott Kitchings
Clerk, South Carolina Court of Appeals
Post Office Box 11629
Columbia, South Carolina 29211

RE: Coffin Point Plantation Homeowners Association, Inc. v. The State of South Carolina, et al.
Appellate Case No.: 2022-000475

Dear Mrs. Kitchings:

Enclosed please find the Return of the Appellant Coffin Point Homeowners Association, Inc. to the Motion of State of South Carolina to Direct Appellant to File Supplemental Record and Stay Time for Filing Final Briefs, Supplemental Record on Appeal and Certificate of Service of the same on all parties involved.

With kindest regards, I am

Very truly yours,

MOSS & KUHN, P.A.



H. Fred Kuhn, Jr.

HFKjr:sr
Enclosure

cc: Alan Wilson, Attorney General
Robert D. Cook, Solicitor General
J. Emory Smith, Jr., Deputy Solicitor General
Mary D. Shahid, Esquire
Angelica M. Colwell, Esquire
Ralph V. Baldwin, Esquire
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