

BYBEE & TIBBALS

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Mount Pleasant, SC 29464

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Evan P. Williams

ewilliams@bybeetibbals.com

843.513.1036

RECEIVED

SEP 18 2023

SC Court of Appeals

September 14, 2023

VIA E-MAIL AND U.S. MAIL

The Honorable Jenny Abbott Kitchings
Clerk, South Carolina Court of Appeals
1220 Senate Street
Columbia, SC 29201
ctappfilings@sccourts.org

South Carolina Court Administration
1220 Senate St., Suite 200
Columbia, SC 29201
transcripts@sccourts.org

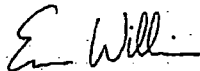
RE: *Justin O'Toole Lucey v. The Town of Mount Pleasant, South Carolina, and WIN515, LLC*
Appellate Case No. 2023-001006
Charleston County Circuit Court Case No. 2022-CP-10-03328

Dear Ms. Kitchings:

In accordance with Rule 207(a), SCACR, Appellant Justin O'Toole Lucey ("Appellant") is contemporaneously furnishing all parties, the Office of Court Administration, and yourself, the clerk of the appellate court, with copies of correspondence with the court reporter in the above-captioned matter, as well as the transcript of the January 27, 2023 hearing in the lower court and invoice for the same, which Appellant received today via said correspondence from the court reporter.

Counsel for all opposing parties are receiving copies of this correspondence and its enclosures via email to their email addresses listed on the South Carolina AIS.

Yours Sincerely,



Evan P. Williams

Enclosures

cc (via e-mail): Brian L. Quisenberry, Esq. (bquisenberry@ycrlaw.com)
Zachary M. Kern, Esq. (zkern@ycrlaw.com)
Ross A. Appel, Esq. (ross@mklawsc.com)

From: Evan Williams
Sent: Thursday, September 14, 2023 2:53 PM
To: Green, Pamela E.
Subject: RE: Justin O'Toole [Lucey] v. Town of Mount Pleasant [Circuit Ct. No. 2022-CP-10-3328] [Appellate No. 2023-001006]

Thank you, Ms. Green. It is ok, I appreciate you working to complete the transcript and your quick response below.

Thank you,

Evan

—
Evan P. Williams

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From: Green, Pamela E. <PGreen@sccourts.org>
Sent: Thursday, September 14, 2023 1:37 PM
To: Evan Williams <ewilliams@bybeetibbals.com>
Subject: Re: Justin O'Toole [Lucey] v. Town of Mount Pleasant [Circuit Ct. No. 2022-CP-10-3328] [Appellate No. 2023-001006]

Apparently I'm an idiot and emailed it to myself. You think I would have noticed that when I received the delivery receipt. I am so sorry. I've attached it and will correct that also with Court Administration. Once again, I apologize.

Pamela E. Green

Circuit Court Reporter

At-Large

From: Evan Williams <ewilliams@bybeetibbals.com>
Sent: Thursday, September 14, 2023 1:25 PM
To: Green, Pamela E. <PGreen@sccourts.org>
Cc: Transcripts <transcripts@sccourts.org>; Jeff Tibbals <jst@bybeetibbals.com>; Elliott Jones <ejones@bybeetibbals.com>; Whitney Moore <wmoore@bybeetibbals.com>; Caroline McLaughlin <cmclaughlin@bybeetibbals.com>; Holmes, Tammie <tholmes@sccourts.org>; ross@mklawsc.com <ross@mklawsc.com>; bquisenberry@yclaw.com <bquisenberry@yclaw.com>; zkern@yclaw.com <zkern@yclaw.com>; Court Of Appeals Filings <ctappfilings@sccourts.org>
Subject: RE: Justin O'Toole [Lucey] v. Town of Mount Pleasant [Circuit Ct. No. 2022-CP-10-3328] [Appellate No. 2023-001006]

***** EXTERNAL EMAIL:** This email originated from outside the organization. Please exercise caution before clicking any links or opening attachments. ***

Good afternoon Ms. Green,

We wanted to check in on the status of the requested transcript of the hearing in the above-captioned case. We have not received a copy of the transcript, but Ms. Holmes (copied here), advised the parties via separate correspondence that it was completed on September 8, 2023.

Please let us know when you have a moment.

Thank you,

Evan

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From: Evan Williams

Sent: Wednesday, August 23, 2023 11:15 AM

To: Green, Pamela E. <PGreen@sccourts.org>

Cc: Transcripts <transcripts@sccourts.org>; Jeff Tibbals <jst@bybeetibbals.com>; Elliott Jones <ejones@bybeetibbals.com>; Whitney Moore <wmoore@bybeetibbals.com>; Caroline McLaughlin <cmclaughlin@bybeetibbals.com>

Subject: RE: Justin O'Toole v. Town of Mount Pleasant

Thank you, Ms. Green. Please let us know if we can provide anything to assist.

Evan

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Evan P. Williams

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From: Green, Pamela E. <PGreen@sccourts.org>

Sent: Tuesday, August 22, 2023 6:05 PM

To: Evan Williams <ewilliams@bybeetibbals.com>

Cc: Transcripts <transcripts@sccourts.org>

Subject: Justin O'Toole v. Town of Mount Pleasant

Mr. Williams,

I have been asked to prepare the above referenced transcript. Please feel free to reach out to me if you have any questions.

Pamela E. Green

Circuit Court Reporter

At-Large

~~~ CONFIDENTIALITY NOTICE ~~~ This message is intended only for the addressee and may contain information that is confidential. If you are not the intended recipient, do not read, copy, retain, or disseminate this message or any attachment. If you have received this message in error, please contact the sender immediately and delete all copies of the message and any attachments.

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**Subject:** Re: Justin O'Toole [Lucey] v. Town of Mount Pleasant [Circuit Ct. No. 2022-CP-10-3328] [Appellate No. 2023-001006]  
**Attachments:** Justin Lucey v. Town of Mount Pleasant-1-27-23.pdf; scan1068.pdf

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**Subject:** RE: Justin O'Toole [Lucey] v. Town of Mount Pleasant [Circuit Ct. No. 2022-CP-10-3328] [Appellate No. 2023-001006]

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<cmclaughlin@bybeetibbals.com>

**Subject:** RE: Justin O'Toole v. Town of Mount Pleasant

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Evan

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Evan P. Williams

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**Subject:** Justin O'Toole v. Town of Mount Pleasant

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*Pamela E. Green*

Circuit Court Reporter

At-Large

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THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM CHARLESTON COUNTY
Court of Common Pleas
R. Keith Kelly, Circuit Court Judge

Circuit Court Case No. 2022-CP-10-03328
Appellate Case No. 2023-001006

Justin O'Toole Lucey, Appellant,

v.

The Town of Mount Pleasant, South Carolina, and
WIN515, LLC, Respondents.

PROOF OF SERVICE

I certify that I have served communications with the court reporter, as required under Rule 207, SCACR, as well as the transcript of the proceedings in the lower court, on the above-named Respondents via email to their respective counsel of record, on September 14, 2023, containing the above-referenced documents as attachments in .pdf, sent to the addresses shown below.

Ross A. Appel S.C. Bar No. 79149
ross@mklawsc.com
Forrest W. Lewis S.C. Bar No. 105525
forrest@mklawsc.com
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2036 eWall Street
Mount Pleasant, SC 29464
Telephone: (843) 937-0400

*COUNSEL FOR RESPONDENT
WIN515, LLC*

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Zachary M. Kern S.C. Bar No. 103731
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Charleston, SC 29402-0993
Telephone: (843) 724-6641

*COUNSEL FOR RESPONDENT THE TOWN OF
MOUNT PLEASANT, SOUTH CAROLINA*

Respectfully submitted,

s/Evan P. Williams

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Evan P. Williams S.C. Bar No. 101981

ewilliams@bybeetibbals.com

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COUNSEL FOR APPELLANT

September 14, 2022



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SC Court of Appeals

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