

THE STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

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

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

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Justin O'Toole Lucey,

Appellant,

v.

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

Respondents.

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**PROOF OF SERVICE**

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*Attorneys for Appellant Justin O'Toole Lucey*

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**Apr 26 2024**

**SC Court of Appeals**

I certify that I have served the Record on Appeal on the above-named Respondents via emails to their respective counsel of record, on April 26, 2024 (see attached emails), containing the above-referenced document as attachments in .pdf, sent to the addresses shown below.

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*Attorneys for Respondent The Town of  
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Respectfully submitted,

s/Evan P. Williams

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*Attorney for Appellant Justin O'Toole Lucey*

April 26, 2024  
Mt. Pleasant, South Carolina

**From:** [Evan Williams](#)

**Sent:** Friday, April 26, 2024 10:27:00 AM

**To:** [Hines, Russell](#); [Brown, Stephen L.](#); [Brian Quisenberry](#); [Zachary \(Zach\) Kern](#); [Olive, IV, Graydon](#); [ross@mklawsc.com](mailto:ross@mklawsc.com); [forrest@mklawsc.com](mailto:forrest@mklawsc.com)

**Cc:** [Liz Lademan](#); [Bell, Pollyana \(Polly\)](#); [Justman, Aimee](#); [Jeff Tibbals](#); [Whitney Moore](#); [Elliott Jones](#)

**Subject:** Lucey v. Town of Mount Pleasant (No. 2023-001006) -- Record on Appeal Email 1 of 6

**Sensitivity:** Normal

**Attachments:**

[ROA Vol. 1\\_Pt. 1 of 6 \(Cover-R. p. 161\).pdf](#);

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Good morning,

Due to its file size, the Record on Appeal in this case is being emailed in 6 separate parts. Attached hereto for service is part 1 of 6 of the Record. The remaining five parts will follow in separate emails.

In addition, the Record can be downloaded as a single file by accessing the following ShareFile link:

<https://bybeeandtibbalsllc.sharefile.com/d-sb8220caafd484d9f844a8c0b35cc3894>.

Please let us know if you have any issues accessing the hyperlink or the attachments to this and the following emails.

Thank you,

Evan

\_\_\_\_\_

Evan P. Williams

**Please note that we recently moved, our new address is below.**

880 Johnnie Dodds Blvd., Suite 2, Mt. Pleasant, SC 29464

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**From:** [Evan Williams](#)

**Sent:** Friday, April 26, 2024 10:29:00 AM

**To:** [Hines, Russell](#); [Brown, Stephen L.](#); [Brian Quisenberry](#); [Zachary \(Zach\) Kern](#); [Olive, IV, Graydon](#); [ross@mklawsc.com](mailto:ross@mklawsc.com); [forrest@mklawsc.com](mailto:forrest@mklawsc.com)

**Cc:** [Liz Lademan](#); [Bell, Pollyana \(Polly\)](#); [Justman, Aimee](#); [Jeff Tibbals](#); [Whitney Moore](#); [Elliott Jones](#)

**Subject:** Lucey v. Town of Mount Pleasant (No. 2023-001006) -- Record on Appeal Email 2 of 6

**Sensitivity:** Normal

**Attachments:**

[ROA Vol. 1\\_Pt. 2 of 6 \(R. pp. 162-213\).pdf](#);

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Evan

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Evan P. Williams

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**From:** [Evan Williams](#)

**Sent:** Friday, April 26, 2024 10:31:00 AM

**To:** [Hines, Russell](#); [Brown, Stephen L.](#); [Brian Quisenberry](#); [Zachary \(Zach\) Kern](#); [Olive, IV, Graydon](#); [ross@mklawsc.com](mailto:ross@mklawsc.com); [forrest@mklawsc.com](mailto:forrest@mklawsc.com)

**Cc:** [Liz Lademan](#); [Bell, Pollyana \(Polly\)](#); [Justman, Aimee](#); [Jeff Tibbals](#); [Whitney Moore](#); [Elliott Jones](#)

**Subject:** Lucey v. Town of Mount Pleasant (No. 2023-001006) -- Record on Appeal Email 3 of 6

**Sensitivity:** Normal

**Attachments:**

[ROA Vol. 1\\_Pt. 3 of 6 \(R. pp. 214-288\).pdf](#);

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Evan

\_\_\_\_\_  
Evan P. Williams

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**From:** [Evan Williams](#)

**Sent:** Friday, April 26, 2024 10:32:00 AM

**To:** [Hines, Russell](#); [Brown, Stephen L.](#); [Brian Quisenberry](#); [Zachary \(Zach\) Kern](#); [Olive, IV, Graydon](#); [ross@mklawsc.com](mailto:ross@mklawsc.com); [forrest@mklawsc.com](mailto:forrest@mklawsc.com)

**Cc:** [Liz Lademan](#); [Bell, Pollyana \(Polly\)](#); [Justman, Aimee](#); [Jeff Tibbals](#); [Whitney Moore](#); [Elliott Jones](#)

**Subject:** Lucey v. Town of Mount Pleasant (No. 2023-001006) -- Record on Appeal Email 4 of 6

**Sensitivity:** Normal

**Attachments:**

[ROA Vol. 1\\_Pt. 4 of 6 \(R. pp. 289-331\).pdf](#);

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Hello,

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Thank you,

Evan

\_\_\_\_\_  
Evan P. Williams

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**From:** [Evan Williams](#)

**Sent:** Friday, April 26, 2024 10:34:00 AM

**To:** [Hines, Russell](#); [Brown, Stephen L.](#); [Brian Quisenberry](#); [Zachary \(Zach\) Kern](#); [Olive, IV, Graydon](#); [ross@mklawsc.com](mailto:ross@mklawsc.com); [forrest@mklawsc.com](mailto:forrest@mklawsc.com)

**Cc:** [Liz Lademan](#); [Bell, Pollyana \(Polly\)](#); [Justman, Aimee](#); [Jeff Tibbals](#); [Whitney Moore](#); [Elliott Jones](#)

**Subject:** Lucey v. Town of Mount Pleasant (No. 2023-001006) -- Record on Appeal Email 5 of 6

**Sensitivity:** Normal

**Attachments:**

[ROA Vol. 1\\_Pt. 5 of 6 \(R. pp. 332-419\).pdf](#);

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Hello,

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Thank you,

Evan

\_\_\_\_\_  
Evan P. Williams

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**From:** [Evan Williams](#)

**Sent:** Friday, April 26, 2024 10:37:00 AM

**To:** [Hines, Russell](#); [Brown, Stephen L.](#); [Brian Quisenberry](#); [Zachary \(Zach\) Kern](#); [Olive, IV, Graydon](#); [ross@mklawsc.com](mailto:ross@mklawsc.com); [forrest@mklawsc.com](mailto:forrest@mklawsc.com)

**Cc:** [Liz Lademan](#); [Bell, Pollyana \(Polly\)](#); [Justman, Aimee](#); [Jeff Tibbals](#); [Whitney Moore](#); [Elliott Jones](#)

**Subject:** Lucey v. Town of Mount Pleasant (No. 2023-001006) -- Record on Appeal Email 6 of 6

**Sensitivity:** Normal

**Attachments:**

[ROA Vol. 1\\_Pt. 6 of 6 \(R. pp. 420-475\).pdf](#);

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Hello,

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Thank you, and have a good weekend.

Evan

\_\_\_\_\_  
Evan P. Williams

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