

**THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS**

Appeal from Charleston County
Mikell R. Scarborough, Master-in-Equity

Cases No. 2021-CP-10-04416 and -05211
Appellate Case No. 2023-001615

CKC Properties, LLC,

Respondent,

v.

The Town of Mount Pleasant, South Carolina;
The Town of Mount Pleasant Board of Zoning Appeals;
Michael Robertson, in his official capacity as Zoning Administrator;
Justin O'Toole Lucey; 415 Mill St., Inc.; and 69 Scott Street, LLC,

Respondents Below.

Of which The Town of Mount Pleasant, South Carolina;
The Town of Mount Pleasant Commercial Design Review Board;
The Town of Mount Pleasant Board of Zoning Appeals;
Justin O'Toole Lucey; 415 Mill St., Inc.; and 69 Scott Street, LLC, are the

Appellants.

PROOF OF SERVICE

CLEMENT RIVERS, LLP
Stephen L. Brown (SC Bar No. 66468)
Stephanie Ramia Sandifer (SC Bar No. 100217)
Brian Lee Quisenberry (SC Bar No. 73637)
Zachary M. Kern (SC Bar No. 103731)
Russell G. Hines (SC Bar No. 72100)
25 Calhoun Street, Suite 400
P.O. Box 993 (29402)
Charleston, South Carolina 29401
(843) 720-5488

Attorneys for Appellants The Town of Mount Pleasant, South Carolina; The Town of Mount Pleasant Commercial Design Review Board; and The Town of Mount Pleasant Board of Zoning Appeals

I, Russell G. Hines, of Clement Rivers, LLP, attorneys for Appellants The Town of Mount Pleasant, South Carolina; The Town of Mount Pleasant Commercial Design Review Board; and The Town of Mount Pleasant Board of Zoning Appeals, hereby certify that the **CONSENT MOTION TO PARTIALLY DISMISS APPEAL** was served on all parties to this matter on May 14, 2024, by emailing (see attached) a copy of the same to counsel of record:

Ross A. Appel, Esquire
ross@mklawsc.com
MCCULLOUGH KHAN APPEL
*Attorneys for Respondent
CKC Properties, LLC*

Jeffrey S. Tibbals, Sr., Esquire
jst@bybeetibbals.com
Evan P. Williams, Esquire
ewilliams@bybeetibbals.com
BYBEE & TIBBALS, LLC
*Attorneys for Appellants Justin O'Toole
Lucey; 415 Mill St., Inc.; and 69 Scott
Street, LLC*

Respectfully submitted,
CLEMENT RIVERS, LLP

By: s/Russell G. Hines
Russell G. Hines (SC Bar No. 72100)
*Attorneys for Appellants The Town of Mount
Pleasant, South Carolina; The Town of
Mount Pleasant Commercial Design Review
Board; and The Town of Mount Pleasant
Board of Zoning Appeals*

Charleston, South Carolina

May 14, 2024

From: [Hines, Russell](#)
To: ewilliams@bybeetibbals.com; jst@bybeetibbals.com; ross@mklawsc.com
Cc: ejones@bybeetibbals.com; wmoore@bybeetibbals.com; liz@mklawsc.com; [Bell, Pollyana \(Polly\)](#); [Justman, Barbara](#); [Kern, Zachary \(Zach\)](#); [Quisenberry, Brian](#); [Sandifer, Stephanie](#); [Brown, Stephen L.](#); [Justman, Aimee](#)
Subject: CKC Properties, LLC v. The Town of Mount Pleasant (2023-001615)
Date: Tuesday, May 14, 2024 4:12:09 PM
Attachments: [image001.png](#)
[CKC v. Town \(Appellate Case No. 23-1615\) - Consent Motion to Dismiss DRB Appeal.pdf](#)

Attached for service in the above-referenced matter please find our **Consent Motion to Partially Dismiss Appeal**.

Russell G. Hines
CLEMENT RIVERS, LLP
www.ycrlaw.com
25 Calhoun Street, Suite 400
Charleston, South Carolina 29401
P.O. Box 993 (29402)
Phone: (843) 720-5488
Fax: (843) 579-1327
Email: rhines@ycrlaw.com



CLEMENT RIVERS, LLP

25 Calhoun Street • Suite 400 • Charleston, SC 29401
ycrlaw.com