

May 31, 2024

RECEIVED
JUN 06 2024
SC Court of Appeals

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

RE: THOMAS & NICOLE BETANCOURT, JIMMY & AMIE BOATWRIGHT AND NORMAN
& KRISTINA WHETZEL, Appellants, v. CITY OF MULLINS ZONING BOARD AND DR.
TODD BLEVINS OF BLEVINS DENTISTRY, Respondents
Case No: 2023CP3300500

10973

Dear Ms. Kitchings:

Enclosed for filing are updated copies of both the Notice of Appeal and Motion to Stay,
with all Appellants signatures, in the above case. Also enclosed are the following:

1. Updated Proof of Service of the Notice of Appeal and Motion to Stay on the Respondents.
2. The filing fee of \$50.

Sincerely,



Nicole Betancourt
618 S Main Street
Mullins, SC 29574
(843) 561-3253
Appellant

cc: Whittington Tiller
219 S Main Street
PO Box 653
Mullins, SC 29574
(843) 464-7821
Attorney for Todd Blevins (Respondent)

JP Williams Jr
PO Box 883
Marion, SC 29571
(843) 423-7630
Attorney for City of Mullins (Respondent)

The Honorable Brandy N Lewis
Deputy Clerk of Court/Circuit Court for Marion County
Post Office Box 295
Marion, SC 29571

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM MARION COUNTY
Court of Common Pleas

H. Steven DeBerry, IV, Circuit Court Judge 2771

Case No. 2023CP3300500

Thomas & Nicole Betancourt;
Jimmy & Amie Boatwright; and
Norman & Kristina Whetzel

Appellant(s),

v.

City of Mullins Zoning Board and
Dr. Todd Blevins of Blevins Dentistry

Respondent(s)

NOTICE OF APPEAL

Appellants Thomas & Nicole Betancourt, Jimmy & Amie Boatwright and Norman & Kristina appeal the Order of the Honorable H. Steven DeBerry, IV dated May 9, 2024. Appellants received written notice of entry of this Order on May 9, 2024.

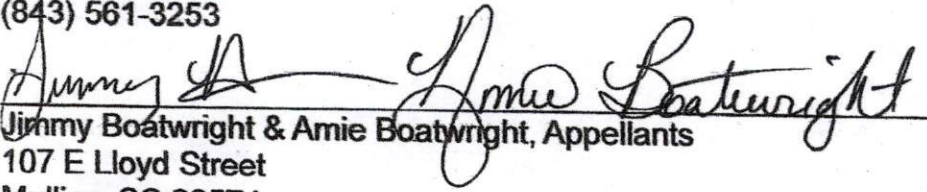
May 31, 2024


Thomas & Nicole Betancourt, Appellants

618 S Main Street
Mullins, SC 29574

chapnicoleb@gmail.com

(843) 561-3253


Jimmy Boatwright & Amie Boatwright, Appellants

107 E Lloyd Street
Mullins, SC 29574

Amieboatwright@gmail.com

(843) 289-1323

2024 MAY 31 PM 3:17
CLERK OF COURT

FILED

Norman Whetzel Kristina Whetzel

Norman Whetzel & Kristina Whetzel, Appellants

701 S Main Street

Mullins, SC 29574

Kristina.shaw@gmail.com

(571) 235-8634

Other Counsel of Record:

Whittington Tiller

219 S Main Street

PO Box 653

Mullins, SC 29574

(843) 464-7821

Attorney for Todd Blevins (Respondent)

JP Williams Jr

PO Box 883

Marion, SC 29571

(843) 423-7630

Attorney for City of Mullins (Respondent)

2025 MAY 31 PM 3:18
CLERK OF COURT

FILED



STATE OF SOUTH CAROLINA

COUNTY OF MARION

Thomas & Nicole Betancourt, Jimmy & Amie Boatwright and Norman & Kristana Whetzel
Plaintiffs,

vs

City of Mullins Zoning Board and Dr. Todd Blevins of Blevins Dentistry
Defendants

) IN THE COURT OF COMMON PLEAS
) TWELFTH JUDICIAL CIRCUIT
) Case No.: 2023-CP-33-00500

MOTION FOR EMERGENCY STAY PENDING APPEAL

MARION COUNTY
CHRISTINA GRAY
CLERK OF COURT

2024 MAY 31 PM 3:18

FILED

MOTION FOR EMERGENCY STAY PENDING APPEAL

Plaintiffs, Thomas & Nicole Betancourt, Jimmy & Amie Boatwright and Norman & Kristina

Whetzel, respectfully move that this Court grant an Emergency Stay of this Court's Order dated May 9, 2024 pending Appellate review of that Order.

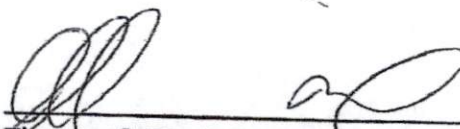
A Stay is appropriate because Defendant, Dr. Todd Blevins, has previously continued to proceed with work on his parking lot during court proceedings when he was not to move forward. A Notice of Appeal to the South Carolina Court of Appeals was served upon all parties on May 22, 2024. Today, May 24, 2024, Dr. Blevins has multiple crews on the lot moving forward with the parking lot (Pictures attached). Per SC Rule 241(a) the service of a notice of appeal in a civil matter acts to automatically stay matters decided in the order and to automatically stay the relief ordered in the appealed order. This automatic stay continues in effect for the duration of the appeal unless lifted by order of the lower court.

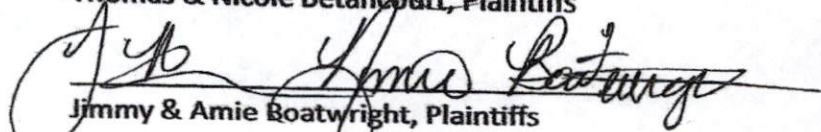
Due to Dr. Blevins history of proceeding regardless of protocol and procedures, it is imperative to grant an emergency stay immediately to stop all construction, demolition, etc on the parking lot pending review of the order by the Appellate Court.

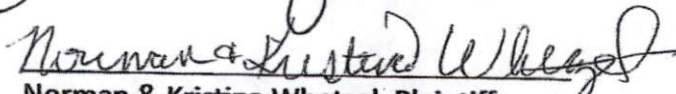
Respectfully Submitted,

Dated: May 31, 2024

By:


Thomas & Nicole Betancourt, Plaintiffs


Jimmy & Amie Boatwright, Plaintiffs


Norman & Kristina Whetzel, Plaintiffs

2024 MAY 31 PM 3:18
MARICOPA COUNTY
CLERK OF COURT

FILED

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM MARION COUNTY
Court of Common Pleas

H. Steven DeBerry, IV, Circuit Court Judge 2771

Case No. 2023CP3300500

Thomas & Nicole Betancourt;
Jimmy & Amie Boatwright; and
Norman & Kristina Whetzel

Appellant(s),

v.

City of Mullins Zoning Board and
Dr. Todd Blevins of Blevins Dentistry

Respondent(s)

2024 MAY 31 PM 3:17
MARION COUNTY
CHARLES V. L. BRAY
CLERK OF COURT

FILED

PROOF OF SERVICE

I certify that the updated Notice of Appeal and Motion to Stay, with all Appellants signatures, were served on the Marion County Court of Common Pleas, Clerk of Court, by way of mailing a copy, with proper postage, via regular mail through the United States Postal Service to Post Office Box 295, Marion, SC 29571 on May 31, 2024.

The updated Notice of Appeal and Motion to Stay, with all Appellants signatures, were also served by personally delivering a copy to Marion County Court of Common Pleas, Clerk of Court, at 1305 N Main Street, Marion, SC 29571 on May 31, 2024.

May 31, 2024

Nicole Betancourt
618 S Main Street
Mullins, SC 29574
(843) 561-3253
Appellant

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM MARION COUNTY
Court of Common Pleas

H. Steven DeBerry, IV, Circuit Court Judge 2771

Case No. 2023CP3300500

Thomas & Nicole Betancourt;
Jimmy & Amie Boatwright; and
Norman & Kristina Whetzel

Appellant(s),

v.

City of Mullins Zoning Board and
Dr. Todd Blevins of Blevins Dentistry

Respondent(s)

MARION COUNTY
CLERK OF COURT

2024 MAY 31 PM 3:17

FILED

PROOF OF SERVICE

I certify that the updated Notice of Appeal and Motion to Stay, with all Appellants signatures, were served on the City of Mullins Zoning Board by way of Certified Mail, Return Receipt (9589 0710 5270 0768 9280 56), with proper postage, to the Attorney of record, JP Williams Jr, Post Office Box 883, Marion, SC 29571 on May 31, 2024.

The updated Notice of Appeal and Motion to Stay, with all Appellants signatures, were also served by personally delivering a copy to the Attorney of record, JP Williams Jr, at his office at 300 N Main Street, Marion, SC 29571 on May 31, 2024.

May 31, 2024

Nicole Betancourt
618 S Main Street
Mullins, SC 29574
(843) 561-3253
Appellant



MARION
201 S MAIN ST
MARION, SC 29571-9998
(800)275-8777

05/31/2024 03:38 PM

Product	Qty	Unit Price	Price
First-Class Mail® Letter	1		\$0.92
Marion, SC 29571			
Weight: 0 lb 1.80 oz			
Estimated Delivery Date			
Mon 06/03/2024			
Certified Mail®			\$4.40
Tracking #:			
9589 0710 5270 0768 9280 56			
Return Receipt			\$3.65
Tracking #:			
9590 9402 8820 4005 5568 76			
Total			\$8.97

Grand Total: \$8.97

Credit Card Remit \$8.97

Card Name: Discover
Account #: XXXXXXXXXXXX3658
Approval #: 877082
Transaction #: 677
AID: A0000001524010 Chip
AL: Discover Debit
PIN: Not Required Discover Debit

Text your tracking number to 28777 (2USPS) to get the latest status. Standard Message and Data rates may apply. You may also visit www.usps.com USPS Tracking or call 1-800-222-1811.

Preview your Mail
Track your Packages
Sign up for FREE @
<https://informedelivery.usps.com>

All sales final on stamps and postage.
Refunds for guaranteed services only.
Thank you for your business.

Tell us about your experience.
Go to: <https://postalexperience.com/Pos>
or scan this code with your mobile device.



or call 1-800-410-7420.

UFN: 455620-0571
Receipt #: 840-52900221-2-6775514-2

9589 0710 5270 0768 9280 56

U.S. Postal Service™ CERTIFIED MAIL® RECEIPT Domestic Mail Only	
For delivery information, visit our website at www.usps.com ®.	
Marion, SC 29571	
Certified Mail Fee \$4.40	\$3.65
Extra Services & Fees (check box, add fee as appropriate)	
<input type="checkbox"/> Return Receipt (hardcopy) \$	\$0.00
<input type="checkbox"/> Return Receipt (electronic) \$	\$0.00
<input type="checkbox"/> Certified Mail Restricted Delivery \$	\$0.00
<input type="checkbox"/> Adult Signature Required \$	\$0.00
<input type="checkbox"/> Adult Signature Restricted Delivery \$	
Postage \$0.92	
Total Postage and Fees \$8.97	
Sent To JP Williams Jr	
Street and Apt. No., or PO Box No. PO Box 283	
City, State, ZIP+4® Marion, SC 29571	
PS Form 3800, January 2023 PSN 7530-02-000-9047 See Reverse for Instructions	

Postmark Here
05/31/2024

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM MARION COUNTY
Court of Common Pleas

H. Steven DeBerry, IV, Circuit Court Judge 2771

Case No. 2023CP3300500

Thomas & Nicole Betancourt;
Jimmy & Amie Boatwright; and
Norman & Kristina Whetzel

Appellant(s),

v.

City of Mullins Zoning Board and
Dr. Todd Blevins of Blevins Dentistry

Respondent(s)

MARION COUNTY
CLERK OF COURT

2024 MAY 31 PM 3:17

FILED

PROOF OF SERVICE

I certify that the updated Notice of Appeal and Motion to Stay, with all Appellants signatures, were served on Dr. Todd Blevins of Blevins Dentistry by way of Certified Mail, Return Receipt (9589 0710 5270 0768 9280 63), with proper postage, to his Attorney of record, Whittington Tiller, Post Office Box 653, Mullins, SC 29574 on May 31, 2024.

The updated Notice of Appeal and Motion to Stay, with all Appellants signatures, were also served by personally delivering a copy to his Attorney of record, Whittington Tiller, at his office at 219 S Main Street, Marion, SC 29571 on May 31, 2024.

May 31, 2024

Nicole Betancourt
618 S Main Street
Mullins, SC 29574
(843) 561-3253
Appellant



MARION
 201 S MAIN ST
 MARION, SC 29571-9998
 (800)275-8777

05/31/2024 03:40 PM

Product	Qty	Unit Price	Price
First-Class Mail® Letter	1		\$0.92
Mullins, SC 29574			
Weight: 0 lb 1.80 oz			
Estimated Delivery Date			
Mon 06/03/2024			
Certified Mail®			\$4.40
Tracking #:			
9589 0710 5270 0768 9280 63			
Return Receipt			\$3.65
Tracking #:			
9590 9402 8820 4005 5568 69			
Total			\$8.97

Grand Total: \$8.97

Credit Card Remit \$8.97
 Card Name: Discover
 Account #: XXXXXXXXXXXX3658
 Approval #: 257022
 Transaction #: 678
 AID: A0000001524010 Chip
 AL: Discover Debit
 PIN: Not Required Discover Debit

Text your tracking number to 28777 (2USPS) to get the latest status. Standard Message and Data rates may apply. You may also visit www.usps.com USPS Tracking or call 1-800-222-1811.

Preview your Mail
 Track your Packages
 Sign up for FREE @
<https://informedelivery.usps.com>

All sales final on stamps and postage.
 Refunds for guaranteed services only.
 Thank you for your business.

Tell us about your experience.
 Go to: <https://postalexperience.com/Pos>
 or scan this code with your mobile device,



or call 1-800-410-7420.

UFN: 455620-0571
 Receipt #: 840-52900221-2-6775544-2

9589 0710 5270 0768 9280 63

U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
 Domestic Mail Only

For delivery information, visit our website at www.usps.com

MULLINS, SC 29574

OFFICIAL USE

Certified Mail Fee \$4.40		0571
Extra Services & Fees (check box, add fee as appropriate)	\$3.65	12
<input type="checkbox"/> Return Receipt (hardcopy)	\$0.00	
<input type="checkbox"/> Return Receipt (electronic)	\$0.00	
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00	
<input type="checkbox"/> Adult Signature Required	\$0.00	
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00	
Postage \$0.92		
Total Postage and Fees \$8.97		05/31/2024
Sent To Whittington Tiller		
Street and Apt. No., or PO Box No. 214 S Main Street PO Box 653		
City, State, ZIP+4® Mullins, SC 29574		

PS Form 3800, January 2023 PSN 7530-02-000-9047 See Reverse for Instructions

May 31, 2024


The Honorable Brandy N. Lewis
Deputy Clerk of Court/Circuit Court for Marion County
Post Office Box 295
Marion, South Carolina 29571

RE: THOMAS & NICOLE BETANCOURT, JIMMY & AMIE BOATWRIGHT AND
NORMAN & KRISTINA WHETZEL, Appellants, v. CITY OF MULLINS ZONING
BOARD AND DR. TODD BLEVINS OF BLEVINS DENTISTRY, Respondents
Case No: 2023CP3300500

Dear Ms. Lewis:

Enclosed for filing are updated originals of both the Notice of Appeal and Motion to Stay,
with all Appellants signatures, in the above case.

Sincerely,



Nicole Betancourt
618 S Main Street
Mullins, SC 29574
(843) 561-3253
Appellant

cc: Whittington Tiller
219 S Main Street
PO Box 653
Mullins, SC 29574
(843) 464-7821
Attorney for Todd Blevins (Respondent)

JP Williams Jr
PO Box 883
Marion, SC 29571
(843) 423-7630
Attorney for City of Mullins (Respondent)

2024 MAY 31 PM 3:17
MARION COUNTY
CLERK OF COURT

FILED

Nicole Postencourt
418 S Main Street
Mullins, SC 29574

The Honorable Jenny Abbott Kitchens
Clerk, South Carolina Court of Appeals
PO Box 11629
Columbia, SC 29211

RECEIVED

JUN 06 2024
SC Court of Appeals



VISIT US AT USPS.COM
Label 119, Jan 2015

PRIOR MAIL EXPRESS

VISIT US AT USPS.COM
Label 119, Jan 2015

PRIORITY MAIL EXPRESS

VISIT US AT USPS.COM
Label 119, Jan 2015

PRIORITY MAIL EXPRESS

Retail



RDC 07



29211

U.S. POSTAGE PAID
PME
MULLINS, SC 29574
JUN 05, 2024

\$30.45

R2304M115822-01

This package is made from post-consumer waste. Please recycle - again.

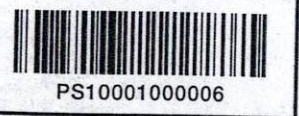
PRIORITY MAIL EXPRESS

FLAT RATE ENVELOPE
ONE RATE ■ ANY WEIGHT

To schedule free Package Pickup, scan the QR code.



USPS.COM/PICKUP

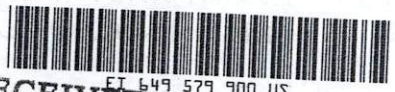


PS1000100006

EP13F July 2022
OD: 12 1/2 x 9 1/2



PRIORITY MAIL EXPRESS



RECEIVED

CUSTOMER USE ONLY
FROM: (PLEASE PRINT) PHONE 803-561-3253

Nicole Betancourt
6018 S Main Street
MULLINS, SC

PAYMENT BY ACCOUNT (if applicable)
USPS® Corporate Acct. No. Federal Agency Acct. No. or Postal Service™ Acct. No.

ORIGIN (POSTAL SERVICE USE ONLY)

DELIVERY OPTIONS (Customer Use Only)

SIGNATURE REQUIRED Note: The mailer must check the "Signature Required" box if the mailer: 1) Uses the addressee's signature; OR 2) Purchases Return Receipt service; OR 3) Purchases COD service; OR 4) Purchases Return Receipt service. If the box is not checked, the addressee's signature is not required. Signature required for mail receipts or other secure location without attempting to contact the addressee. Delivery Options:
 No Saturday Delivery (delivered next business day)
 Sunday/Holiday Delivery Required (additional fee, where available)
*Refer to USPS.com or local Post Office™ for availability.

TO: (PLEASE PRINT) PHONE ()
The Honorable Jenny Abbott,
Kitchens
Clerk, South Carolina Court of Appeals
PO Box 11629
Columbia, SC 29211

ZIP+4® (U.S. ADDRESSES ONLY) 29211-2921

For pickup or USPS Tracking™, visit USPS.com or call 800-222-1811.
\$100.00 Insurance included.

PEEL FROM THIS CORNER

PO ZIP Code	<input checked="" type="checkbox"/> 1-Day 29574	<input type="checkbox"/> 2-Day	<input type="checkbox"/> Military	<input type="checkbox"/> OPO
Scheduled Delivery Date (MM/DD/YYYY)	6/16/24	Postage	\$ 30.45	
Date Accepted (MM/DD/YYYY)	6/5/24	Scheduled Delivery Time	11:00 PM	Insurance Fee
Time Accepted	11:09 AM	Return Receipt Fee		Live Animal Transportation Fee
Special Handling/Fragile		Sunday/Holiday Premium Fee		Total Postage & Fees
Weight	40 oz.	Acceptance Employee Initials	MM	\$ 30.45
DELIVERY (POSTAL SERVICE USE ONLY)				
Delivery Attempt (MM/DD/YYYY)	Time	Employee Signature		
Delivery Attempt (MM/DD/YYYY)	Time	Employee Signature		

LABEL 11-B, MAY 2021 PSN 7690-02-000-9998



This packaging is the property of the U.S. Postal Service® and is provided solely for use in sending Priority Mail Express. Misuses may be a violation of federal law. This package is not for resale. EP13F © U.S. Postal Service; July 2022; A