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Dec 03 2024

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM CHARLESTON COUNTY
Court of Common Pleas

The Honorable Jessica A. Salvini
Circuit Court Judge

Case No. 2023-CP-10-03038

Jon Kane,

Plaintiff,

v.

Darien Applegate; Darien E. Applegate Trust;
Darien E. Applegate, Successor in Partnership;
Big Blue Allure, LLC; Allure Outdoor, LLC;
Allure Advertising, LLC; Lamar OCI South Corp.;
and Lamar Advertising, Defendants

Of who Jon Kane is the Appellant,

And

Darien Applegate, individually, and as Trustee of the Darien E. Applegate Trust,
and as Successor in Partnership; Big Blue Allure, LLC; and Allure Outdoor,
LLC; are the Respondents.

NOTICE OF APPEAL

Jon Kane, by and through his undesignated counsel, hereby appeals (1) the *Order* entered on October 1, 2024 by the Honorable Jessica A. Salvini, dismissing the Complaint against certain Defendants, (2) the *Initial Order Regarding Motion to Reconsider*, entered on October 18, 2024, and (3) the *Final Order Regarding Motion to Reconsider*, entered on November 4, 2024. Counsel for

Appellant received written notice of entry of the *Final Order Regarding Motion to Reconsider* on November 4, 2024. A copy of each of the subject orders on appeal are attached to the Notice of Appeal.

THE LAW OFFICE OF JESSE SANCHEZ, LLC

s/Jesse Sanchez

Jesse Sanchez, Esq. (SC Bar No. 101906)
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Attorneys for Appellant Jon Kane

December 3, 2024
Mount Pleasant, South Carolina

Other Counsel of Record:

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Attorney for Respondents Darien Applegate, individually and as Trustee for the Darien E. Applegate Trust; Allure Outdoor, LLC; and Big Blue Allure, LLC

BYBEE & TIBBALS, LLC

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Attorneys for the Defendants Lamar Advertising, Lamar OCI South Corp., and Allure Advertising, LLC

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Allure Advertising, LLC; Lamar OCI South Corp.;
and Lamar Advertising, Defendants

Of who Jon Kane is the Appellant,

And

Darien Applegate, individually, and as Trustee of the Darien E. Applegate Trust,
and as Successor in Partnership; Big Blue Allure, LLC; and Allure Outdoor,
LLC; are the Respondents.

PROOF OF SERVICE

I, the undersigned, certify that I have served the *Notice of Appeal* on behalf of John Kane,
this 3rd day of December 2024 on all counsel of record via United States First Class Mail, postage
prepaid, and their AIS-designated email addresses as set forth below:

Jennifer M. Houti, Esq.,
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Attorney for Respondents Darien Applegate, individually and as Trustee for the Darien E. Applegate Trust; Allure Outdoor, LLC; and Big Blue Allure, LLC

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Attorneys for the Defendants Lamar Advertising, Lamar OCI South Corp., and Allure Advertising, LLC

Pursuant to Rule 262(C)(3), SCACR, and the Order of The Supreme Court of South Carolina, Re: Methods of Electronic Filing and Service Under Rule 262 of the South Carolina Appellate Court Rules (As amended April 24, 2024), a copy of the email correspondence to Counsel is attached.


THE LAW OFFICE OF JESSE SANCHEZ, LLC

s/Jesse Sanchez
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Attorney for Appellant Jon Kane

December 3, 2024
Mount Pleasant, South Carolina



From: Jesse Sanchez jesse@jessesanchezlaw.com 
Subject: Jon Kane, Appellant v. Darien Applegate, et al., Respondents - Circuit Court Case No. 2023-CP-10-03038
Date: December 3, 2024 at 2:18 PM
To: jhouti@jmdlaw.com, jst@bybeetibbals.com, ewilliams@bybeetibbals.com, gdotterer@bybeetibbals.com
Cc: dan@slotchiverlaw.com, Matthew Kelly mkelly@oysterrd.com, Susan Maulden paralegal@slotchiverlaw.com

Counsel,

Attached for service, please find copies of the Notice of Appeal and corresponding Cover Letter, which are being filed momentarily with the Circuit Court and the South Carolina Court of Appeals via electronic filing. Hard copies have also been deposited in today's outgoing mail.

Regards,

Jesse

--

PLEASE NOTE WE HAVE A NEW ADDRESS:

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**Kane - Cover Letter to Kitchings
20241103.pdf**



**Kane - Notice of Appeal w Orders
.pdf**
656 KB



December 3, 2024

VIA UNITED STATES FIRST CLASS MAIL
AND EMAIL (ctappfilings@sccourts.org)

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



RE: Jon Kane, Appellant v. Darien Applegate, et al., Respondents
Circuit Court Case No. 2023-CP-10-03038

Dear Ms. Kitchings:

Enclosed for filing, please find the following.

1. A Notice of Appeal in the above-captioned matter, including a copy of each underlying order on appeal;
2. Proof of Service of the Notice of Appeal on Respondents and all counsel of record;
3. A check from my law firm for the filing fee of \$250.00, which has been deposited in today's outgoing mail.

Thank you for your assistance with this matter. Should you have any questions or wish to discuss the filing, please do not hesitate to contact me directly.

Sincerely,

s/Jesse Sanchez

Jesse Sanchez (SC Bar No. 101906)

Enclosures (as stated)

Cc: Jennifer M. Houti, Esq.
Jeffrey S. Tibbals, Esq.
Evan P. Williams, Esq.
Gaillard T. Dotterer, III, Esq.
Daniel S. Slotchiver, Esq.
Matthew Z. Kelly, Esq.