



# The South Carolina Court of Appeals

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January 13, 2025

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Re: SC Native Plant Society v. The Spartanburg County Planning Commission  
Appellate Case No. 2024-001828

Dear Counsel:

Enclosed is the Court's decision on respondent Blue Sky Associates, LLC's motion to dismiss. You must provide a status update regarding the transcript within 30 days from the date of this letter to allow for the appropriate briefing schedule to be set.

Very truly yours,

Catherine Hannison, deputy

CLERK

# The South Carolina Court of Appeals

South Carolina Native Plant Society, Appellant,

v.

The Spartanburg County Planning Commission and Blue Sky Associates, LLC, d/b/a T. Tree Farms RV Park, Respondents,

and

The Enclave at Fairview Farm Homeowners' Association, Inc., Golden Hills of Fairview Homeowners Association, Inc., Greenspace of Fairview, LLC, North Pacolet Association, Inc., Debra A. Whitaker, Charles D. Whitaker, Roxanne M. Hellman-Wojan, Richard G. Wojan, Judie R. Klapholz, Trustee of Judie R. Klapholz Trust, and Slater Properties, Inc., d/b/a Caroland Farms, Appellants,

v.

Spartanburg County, SC, Spartanburg County Planning Commission, and Blue Sky Associates, LLC d/b/a T. Tree Farms RV Park, Respondents.

Appellate Case No. 2024-001828

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## ORDER

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On November 20, 2024, Respondent Blue Sky Associates, LLC d/b/a T. Tree Farms RV Park (Respondent Blue Sky) filed a motion to dismiss the appeal, arguing the order on appeal was "not final and is not immediately appealable." Appellants filed a return, opposing the dismissal and arguing that the Form 4 order addressing Respondents' motion to reconsider was a final order and there was no

"[f]ormal order to follow." Respondent Blue Sky filed a reply, explaining it sought to dismiss the case on two grounds and Appellants had only argued against one in their return. Appellants filed a joint surreply, arguing Respondent Blue Sky had raised only one ground in its motion to dismiss. After careful consideration, we deny Respondent's motion to dismiss without prejudice to the parties addressing appealability in their briefs.



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FOR THE COURT

Columbia, South Carolina

cc:

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A. Todd Darwin, Esquire  
Alexander George Shissias, Esquire  
Frank S. Holleman, III, Esquire  
Emily Wyche, Esquire