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SC Court of Appeals

THE STATE OF SOUTH CAROLINA

In the Court of Appeals

APPEAL FROM BEAUFORT COUNTY
Court of Common Pleas
Judge Carmen T. Mullen, Circuit Court Judge

Appellate Case No. 2025-_____
Circuit Court Case No. 2022-CP-07-01978

Broad Creek Development, LLC,

Appellant,

v.

Beaufort County,

Respondent.

NOTICE OF APPEAL

Appellant Broad Creek Development, LLC (“Appellant”) hereby appeals the Order of The Honorable Carmen T. Mullen, entered February 18, 2025 (the “Order”), ruling on the claims and defenses of the parties following the non-jury trial of the action that was held on October 14, 2024. Additionally, Appellant appeals the Amended Order entered by Judge Mullen on March 7, 2025 (“Final Order”), which made certain changes to the Order and ruled on Appellant’s February 28, 2025 Motion to Reconsider the Order. This Notice of Appeal is being filed and served within thirty (30) days of receipt of the Final Order.

Copies of the Order and Final Order being challenged on appeal are attached as exhibits to this Notice.

Respectfully submitted,

s/ Richard D. Bybee

Richard D. Bybee (S.C. Bar No. 1063)

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*Attorneys for Appellant Broad Creek
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March 28, 2025

Other Counsel of Record:

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Broad Creek Development, LLC,

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PROOF OF SERVICE

I certify that the Notice of Appeal, including its exhibits, in this matter was served on the above-named Respondent by e-mailing a .pdf copy of the same to its counsel of record, on this 28th day of March, 2025, addressed to the recipient attorney's primary e-mail address listed in the South Carolina Attorney Information System as shown below:

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Respectfully submitted,

s/Richard D. Bybee

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April 1, 2025

VIA EMAIL ONLY

The Honorable Jenny Abbott Kitchings
Clerk, South Carolina Court of Appeals
1220 Senate Street
Columbia, SC 29201
ctappfilings@sccourts.org

Re: *Broad Creek Development, LLC v. Beaufort County*

Dear Ms. Kitchings:

Please find enclosed for filing, on behalf of Appellant Broad Creek Development, LLC (“Appellant”), the following documents:

1. Appellant’s Notice of Appeal;
2. copies of the orders challenged on appeal (attached as Exhibits 1 and 2 to the Notice of Appeal); and
3. the Proof of Service of the Notice of Appeal.

By copy of its counsel of record on the filing transmittal e-mail, Respondents in this case are served with the Notice of Appeal and exhibits thereto.

A check for the filing fee of \$250.00 is being mailed to the Court under separate cover.

Yours Sincerely,



Richard D. Bybee

Enclosure(s)

cc (via e-mail):

Christopher L. Murphy, Esq.
Wesley A. Southern, Esq.