

Jul 03 2025

SC Court of Appeals

REPLY TO:

J. René Josey

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July 3, 2025

Nicole Betancourt  
618 S. Main Street  
Mullins, SC 29574

Thomas Betancourt  
618 S. Main Street  
Mullins, SC 29574

Jimmy Boatwright  
107 E. Lloyd Street  
Mullins, SC 29574

Arnie Boatwright  
107 E. Lloyd Street  
Mullins, SC 29574

Norman Whetzel  
701 S. Main Street  
Mullins, SC 29574

Kristana Whetzel  
701 S. Main Street  
Mullins, SC 29574

Re: Deficiencies in Filed Record on Appeal  
Thomas Betancourt, Nicole Betancourt, Jimmy Boatwright, Arnie Boatwright, Norman Whetzel and Kristana Whetzel v. City of Mullins Zoning Board, Dr. Todd Blevins and Blevins Dentistry

SCCA Action No.: 2024-000868

TPGL File No.: 20350.101

Dear Appellants:

Your Record on Appeal was filed with the Court on July 2, 2025. This Record on Appeal does not include items 3, 4, and 5 on Respondents' Designation of Matter for the Record on Appeal (filed and served on April 9, 2025). Thus, your Record on Appeal is not compliant with Rule 210(c) of the South Carolina Appellate Court Rules. Because of these deficiencies, Respondents' cannot finalize their Brief as required by the Rule 211 of the South Carolina Appellate Court Rules.

At this point, without waiving any rights, rather than again involve the Court through Motions regarding these deficiencies, *I am writing to demand that you file an Amended Record on Appeal that includes all matters designated by the Respondents and complies with Rule 210(c).*

Your present Record on Appeal also includes FOIA requests made *after* the appealed ruling (pages 99-102) and City Council minutes from July and August 2023 (pages 90-96) which were never part of the trial court's record or consideration. Rule 210(c) also prohibits the inclusion of such unconsidered material.

# Turner | Padgett

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*Letter to Appellants*

*July 3, 2025*

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Presumably, such an Amended filing would expand the twenty (20) days allowed by Rule 211 for the Respondents to finalize their brief. If an Amended and Correct filing is not made promptly, Respondents will have no choice but to turn to traditional motion practice to seek a remedy.

Respondents reserve and do not waive their claims to fees and expenses associated with these deficiencies -- which they hope to cover in this matter.

Sincerely,

TURNER PADGETT GRAHAM & LANEY P.A.

J. René Josey

JRJ:alb

cc: Chief Deputy Clerk, South Carolina Court of Appeals (via email)  
Hampton Grainger Tiller, Esq. (via email)  
John Paul "JP" Williams, Jr., Esquire (via email)