



BLUESTEIN · NICHOLS · THOMPSON · DELGADO LLC
ATTORNEYS AT LAW

Margaret Miles Bluestein
John Shannon Nichols
Stacy Elizabeth Thompson
John Dennis Delgado
Allison Paige Sullivan
Ashley Trout Thompson
Blake Alexander Hewitt

OF COUNSEL
O. Eugene Powell, Jr.
Rebecca Cagle Patrick

January 15, 2013

The Honorable V. Claire Allen
Deputy Clerk of Court
South Carolina Court of Appeals
Post Office Box 11629
Columbia, South Carolina 29211

Re: Be Mi, Inc. d/b/a St. Clements Beach Bar & Grill v. South Carolina Department of
Revenue and St. Clements Homeowners Association
Case Tracking No.: 2012-212861

Dear Ms. Allen:

Pursuant to your letter dated January 11, 2013, please find enclosed for your records a
copy of correspondence and *Motion for Extension and for Leave to Withdraw as Counsel* to the
client in the above referenced case.

Thank you for your attention to this matter. If you need any additional information,
please do not hesitate to contact me.

Sincerely,

Erin Bridges

Paralegal to John S. Nichols
BLUESTEIN, NICHOLS, THOMPSON &
DELGADO, LLC

/emb

Enclosures

cc James Corbett, Esquire
Clifford L. Welsh, Esquire
Kathryn Brown, Esquire

JAN 16 2013



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January 15, 2013

St. Clements Homeowners Association
c/o Ms. Barbara Brown
7602 Coteswood Drive
Myrtle Beach, SC 29572

Erica Dirks Pilchard
Ally Management
P.O. Box 7706
Myrtle Beach, SC 29572

Re: Be Mi, Inc. d/b/a St. Clements Beach Bar & Grill v. South Carolina Department of Revenue and St. Clements Homeowners Association
Case No: 11-ALJ-17-0546-CC

Dear Ms. Brown and Ms. Pilchard:

Please find enclosed for your records a copy of our *Motion for Extension and for Leave to Withdraw as Counsel* in the above referenced case.

Thank you for your attention to this matter. If you have any questions or need any additional information, please do not hesitate to contact me.

Sincerely,

Erin Bridges
Paralegal to John S. Nichols
BLUESTEIN, NICHOLS, THOMPSON &
DELGADO, LLC

/emb

Enclosures

cc James Corbett, Esquire
Clifford L. Welsh, Esquire
Kathryn Brown, Esquire
The Honorable V. Claire Allen

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JAN 16 2013

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM STATE OF SOUTH CAROLINA
ADMINISTRATIVE LAW COURT

Shirley C. Robinson, Administrative Law Judge

Case No. 11-ALJ-17-0546-CC

St. Clements Homeowners Association, Appellant,

v.

BeMi, Inc., d/b/a St. Clements Beach
Bar & Grill and South Carolina
Department of Revenue Respondents.

**MOTION FOR EXTENSION AND
FOR LEAVE TO WITHDRAW AS COUNSEL**

Pursuant to Rule 264(b), SCACR, John Nichols requests an order removing him as counsel for the appellant. In accordance with the rule, this motion is being served on the adverse party (through his attorney) and on the respondent, through his trial attorney.

The grounds for withdrawal are that another of the attorney's clients has raised a potential conflict of interest, and while the attorney believes there is no conflict of interest and has communicated the same, this client has continued to express concerns and insist that a conflict in fact exists. Attorney Nichols is accordingly withdrawing from both cases in order to allow this dispute to be put to rest.

The appellant will presumably need a reasonable time to seek and obtain new appellate counsel.

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SC Court of Appeals

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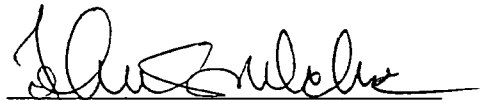
SC Court of Appeals

This appeal is currently in the briefing process. The appellant's initial brief is due this Friday, December 14th. As the appellant will be seeking new counsel to handle the appeal, the court may wish to stay the briefing process and ask the appellant to report, within some specified time period, whether the appellant has retained new appellate counsel.

The attorney accordingly requests that the Court grant this motion and remove him as counsel of record in this appeal. See Rule 264, SCACR (attorney may only withdraw with leave from the court); see also *Ex parte Strom*, 343 S.C. 257, 539 S.E.2d 699 (2000) (same).

December 13, 2012

Respectfully submitted,



John S. Nichols
SC Bar No. 4210
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THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM STATE OF SOUTH CAROLINA
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St. Clements Homeowners Association, Appellant,

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BeMi, Inc., d/b/a St. Clements Beach
Bar & Grill and South Carolina
Department of Revenue Respondents.

PROOF OF SERVICE

The undersigned hereby certifies that on the date indicated below she served
counsel for the Respondents with a copy of the *Motion for Leave to Withdraw as Counsel*
by mailing copies of the same by United States Mail with first class postage prepaid to the
following address:

Clifford L. Welsh, Esquire
Welsh & Hughes
457 Main Street
North Myrtle Beach, SC 29582
Be Mi, Inc., d/b/a St. Clements Beach Bar & Grill

Kathryn Brown, Esquire
SC Department of Revenue
Law and Compliance Division
P.O. Box 12265
Columbia, SC 29211
attorney for Respondent SC Dept. Of Revenue

JAN 16 2013

SC Court of Appeals

December 13, 2012
Columbia, South Carolina

Erin Bridges

Erin Bridges
Paralegal
BLUESTEIN, NICHOLS, THOMPSON
& DELGADO, LLC