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SC Court of Appeals

THE STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

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APPEAL FROM BEAUFORT COUNTY  
COURT OF COMMON PLEAS

Honorable H. Steven DeBerry, IV, Presiding Circuit Court Judge for 14<sup>th</sup> Judicial Circuit

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Case No. 2022-CP-07-02351

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Christina Olson Gecy, Trustee of the Battery Retreat  
Revocable Trust Dated May 28, 2021 and any  
Amendments thereto,

Appellant,

v.

Integra Wharf at Battery Creek, LLC and Gasque & Associates, Inc. (**Respondents**); and B. McNeal  
Partnership, L.P. and Fifth Third Bank National Association (**Defendants**),

Respondents.

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NOTICE OF APPEAL

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The Appellant, Christina Olson Gecy, Trustee of the Battery Retreat Revocable Trust Dated May 28, 2021 and any Amendments thereto, hereby appeals the **Order Granting Defendant Gasque & Associates, Inc.'s Motion for Summary Judgment** of the Honorable H. Steven DeBerry, IV, as the Presiding Circuit Court Judge for the 14<sup>th</sup> Judicial Circuit as issued and entered in this case on July 2, 2025 with the Clerk of the Common Pleas Court for Beaufort County with the Appellant receiving written notice of entry of this Order on July 2, 2025. The Appellant, Christina Olson Gecy, Trustee of the Battery Retreat Revocable Trust Dated May 28, 2021 and any Amendments thereto, also hereby appeals the **Order Denying Plaintiff's Motion for a**

**Continuance, Granting Integra’s Motion to Strike, and Granting Integra Partial Summary Judgment** of the Honorable H. Steven DeBerry, IV, as the Presiding Circuit Court Judge for the 14<sup>th</sup> Judicial Circuit as issued and entered in this case on July 2, 2025 with the Clerk of the Common Pleas Court for Beaufort County with the Appellant receiving written notice of entry of this Order on July 2, 2025; and such Appellant also hereby appeals the subsequent **Order** of the Honorable H. Steven DeBerry, IV, as the Presiding Circuit Court Judge for the 14<sup>th</sup> Judicial Circuit, as issued and entered in this case on July 15, 2025 with the Clerk of the Common Pleas Court for Beaufort County with the Appellant receiving written notice of entry of this Order on July 15, 2025, which Order denied the Plaintiff’s Motion to Alter or Amend a Judgment Pursuant to Rule 59(e) of the S.C. Rules of Civil Procedure that was filed herein on July 13, 2025 for the reconsideration of the above-referenced **Order Denying Plaintiff’s Motion for a Continuance, Granting Integra’s Motion to Strike, and Granting Integra Partial Summary Judgment**.

S/E.W. Bennett, Jr.  
E.W. Bennett, Jr. (S.C. Bar No. 656)  
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**ATTORNEY FOR THE APPELLANT**

**Dated: August 1, 2025.**

**At: Walterboro, South Carolina**

**Other Legal Counsel of Record:**

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Attorneys for the Respondent, Gasque & Associates, Inc.**

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**SC Court of Appeals**

**THE STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS**

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**APPEAL FROM BEAUFORT COUNTY  
COURT OF COMMON PLEAS**

**Honorable H. Steven DeBerry, IV, Presiding Circuit Court Judge for 14<sup>th</sup> Judicial Circuit**

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**Case No. 2022-CP-07-02351**

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Christina Olson Gecy, Trustee of the Battery Retreat  
Revocable Trust Dated May 28, 2021 and any  
Amendments thereto,

Appellant,

v.

Integra Wharf at Battery Creek, LLC and Gasque & Associates, Inc. (**Respondents**); and B. McNeal  
Partnership, L.P. and Fifth Third Bank National Association (**Defendants**),

Respondents.

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**PROOF OF SERVICE**

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**I, E.W. Bennett, Jr., Esquire, Attorney at Law, the undersigned Legal Counsel and Attorney of Record for the Appellant, Christina Olson Gecy, Trustee of the Battery Retreat Revocable Trust Dated May 28, 2021 and any Amendments thereto, do hereby certify that I have served the within Notice of Appeal on Integra Wharf at Battery Creek, LLC and Gasque & Associates, Inc. as the Respondents herein by depositing on August 1, 2025 copies of such Notice of Appeal in the United States Mail at the U.S. Post Office in Walterboro, SC 29488 with sufficient prepaid first class postage affixed thereto addressed to the Legal Counsel and Attorneys of Record for Integra Wharf at Battery Creek, LLC and Gasque & Associates, Inc. as the Respondents herein as to this Notice of Appeal, as more fully stated and set forth herein below, as follows:**

**Ainsley F. Tillman, Esquire  
Ian S. Ford, Esquire  
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Attorneys for the Respondent, Gasque & Associates, Inc.**

*E.W. Bennett, Jr.*

E.W. BENNETT, JR. (S.C. Bar No. 656)

Sworn to and subscribed before me  
on this the 1st day of August, 2025.

*Stacia M. Poole*

NOTARY PUBLIC FOR SOUTH CAROLINA

Printed Name of Notary: Stacia M. Poole

My Commission Expires: 3-10-2026

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**Received Notice: Your filing, Re: 23-9667.CP - (499) Real Property/Other - Appeal/Notice of Appeal to Court of Appeals, was received**

1 message

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**efiledonotreply@sccourts.org** <efiledonotreply@sccourts.org>

Fri, Aug 1, 2025 at 4:01 PM

To: bop@lowcountry.com

Cc: bop01ewblawfirm@gmail.com

**To:** Everett W. Bennett, Jr. bop@lowcountry.com  
**From:** efiledonotreply@sccourts.org  
**Date:** 2025-08-01 16:01:41.317  
**Subject:** Your electronic filing, Re: 23-9667.CP - (499) Real Property/Other - Appeal/Notice of Appeal to Court of Appeals, was received by CIRCUIT COURT.

Case Number: 2022CP0702351

Case Type: (499) Real Property/Other

Document Type: Appeal/Notice of Appeal to Court of Appeals

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**E. W. Bennett, Jr. (1980: SC Bar #656)**  
**\*Certified Civil Court Mediator\***

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**Fax: 843- 549-8566**  
**Email: bop@lowcountry.com**

**Thomas I. Howard, Sr. (1986: SC Bar #6478)**

August 1, 2025

The Honorable Jenny Abbott Kitchings  
Clerk of S.C. Court of Appeals  
Post Office Box 11629  
Columbia, SC 29211

RE: Christina Olson Gecy, Trustee of the Battery Retreat Revocable Trust Dated May 28, 2021 and any Amendments thereto -vs- Integra Wharf at Battery Creek, LLC and Gasque & Associates, Inc. (**Respondents**); and B. McNeal Partnership, L.P. and Fifth Third Bank National Association  
Case No.: 2022-CP-07-02351 (Beaufort County)  
Our File No.: 23-9667.CP

Dear Ms. Kitchings:

Enclosed for filing is a Notice of Appeal in the above referenced case along with the following:

- (1) Proof of Service of the Notice of Appeal on Respondents;
- (2) Copies of the Orders which are being challenged in this appeal;
- (3) The filing fee of \$250.00 made payable to your office; and
- (4) Three (3) extra copies of the Notice of Appeal to be clocked in by your office and returned to me in envelope provided and attached hereto.

Should you have any questions or require anything further, please do not hesitate to contact me.

With kind regards, I am,

Very truly yours,



E. W. Bennett, Jr.

EWBJr/smp  
Enclosures: (as stated)

- cc: Ainsley F. Tillman, Esquire  
Ian S. Ford, Esquire
- cc: Demetri K. Koutrakos, Esquire  
Harry A. Dixon, Esquire
- cc: Roopal S. Ruparelia, Esquire  
Clarke W. DuBose, Esquire  
Samuel Ross Beheler Shealy, Esquire
- cc: Arden D. Lowndes, Esquire  
John P. Norris, Esquire