

**The State of South Carolina
In the Court of Appeals**

Appellate Case No. _____ *(assigned by the Court upon filing)*

Joseph E. Donohue, IV, and
Caroline Marvin,

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Appellants,

v.

Jun 29 2026

GS North Main Owner, LLC d/b/a
Marlowe Summerville,

SC Court of Appeals

Respondent.

Appeal from Berkeley County
Court of Common Pleas
C/A No. 2026-CP-08-00376
The Honorable Dale E. Van Slambrook, Circuit Court Judge

NOTICE OF APPEAL

TO: The South Carolina Court of Appeals; and to Respondent GS North Main Owner, LLC d/b/a Marlowe Summerville, and its counsel of record, Emily N. Hansbarger, Esquire, Brownlee Whitlow & Praet.

PLEASE TAKE NOTICE that Appellants Joseph E. Donohue, IV, and Caroline Marvin, hereby appeal to the South Carolina Court of Appeals from the following orders of the Court of Common Pleas for Berkeley County:

(1) The Order, Form 4, entered March 20, 2026, dismissing Appellants' appeal upon receipt of the Magistrate Order of Non-Compliance and request for dismissal; and

(2) The Order Denying Appellant's Motion to Reconsider the Form 4 Order Dismissing Appellant's Appeal, entered May 27, 2026, denying Appellants' motion to alter or amend the judgment pursuant to Rule 59(e), SCRCP.

Appellants further appeal from all intermediate orders, rulings, and matters necessarily affecting the orders identified above, *including without limitation* the Order/Finding of Non-Compliance entered March 18, 2026, which was the sole and express basis stated by the circuit court for its dismissal of the appeal and which is not severable from the order of dismissal.

Statement Regarding Timeliness of Appeal

This appeal is timely. The Order of Dismissal was entered March 20, 2026. Within ten (10) days thereof, on March 30, 2026, Appellants served and filed a timely motion to alter or amend under Rule 59(e), SCRCP. That motion stayed the time for appeal pursuant to Rule 59(f), SCRCP, and Rule 203(b)(1), SCACR. The circuit court denied the motion by Order entered May 27, 2026, and Appellants received written notice of entry of that Order on May 27, 2026. This Notice of Appeal is served upon all Respondents and filed with the Clerk of the Court of Appeals, within thirty (30) days of that date.

Date: June 26, 2026

Respectfully Submitted:
s / Joseph E. Donohue, IV

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CERTIFICATE OF SERVICE

I hereby certify that on this 26 day of June 2026, I served a true and correct copy of the foregoing Notice of Appeal, together with the attached orders, upon Respondent's counsel of record, by the court's electronic filing, in accordance with Rules 262 and 267, SCACR, and Rule 5, SCRCP.



Joseph E. Donohue, IV, Esquire

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