

NOTICE OF APPEAL IN A CIVIL CASE

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM HORRY COUNTY
Court of Common Pleas

William H. Seals, Jr., Circuit Court Judge

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DEC 10 2013
SC Court of Appeals

Case No. 2013-CP-26-04103

K N S Foundation, LLC, d/b/a Elite Appellant

v.

City of Myrtle Beach Respondent

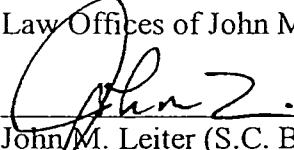
NOTICE OF APPEAL

K N S Foundation, LLC d/b/a Elite appeals the first order of the Honorable William H. Seals, Jr. denying its amended appeal filed on September 30, 2013. Appellant received written notice of entry of this order on October 1, 2013. Further, K N S Foundation, LLC d/b/a Elite appeals the second order of the Honorable William H. Seals, Jr. denying its motion to reconsider pursuant to Rules 52 and 59(e), SCRCP, filed on November 6, 2013. Appellant received written notice of entry of this order on November 8, 2013.

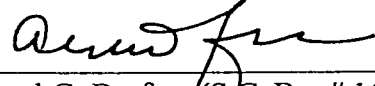
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Attorney for Respondent

December 2, 2013

Myrtle Beach, S. C. 29577

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SC Court of Appeals

STATE OF SOUTH CAROLINA)
)
 COUNTY OF HORRY)
)
 K N S Foundation, LLC, d/b/a Elite)
)
 Appellant,)
)
 v.)
)
 The City of Myrtle Beach,)
)
 Respondent.)
 _____)

IN THE COURT OF COMMON PLEAS
 FIFTEENTH JUDICIAL CIRCUIT
 CIVIL ACTION NO. 2013- CP-26- 5009

CERTIFICATE OF MAILING

I, Howell V. Bellamy, III, of the Law Firm of Bellamy, Rutenberg, Copeland, Epps, Gravely & Bowers, P.A., Counsel for the Appellant, in the above-captioned action, certify that I have this day mailed a copy of Appellant’s Notice of Appeal, a copy of Judge William H. Seals, Jr.’s Order Denying Amended Appeal of KNS Foundation, LLC, d/b/a/ Elite filed on September 30, 2013 and a copy of Judge William H. Seals, Jr.’s Order Denying KNS Foundation, LLC’s Motion to Reconsider filed on November 6, 2013 by certified mail return receipt requested to the following address:

Michael W. Battle, Esquire
 Battle Law Firm, LLC
 Post Office Box 530
 Conway, South Carolina 29528

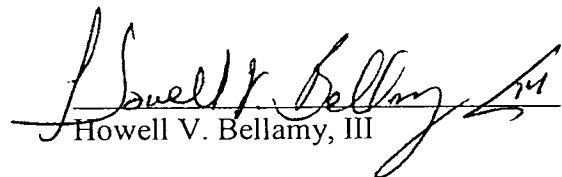
Thomas Eugene Ellenburg, Esquire
 City of Myrtle Beach
 P. O. Box 2468
 Myrtle Beach, S. C. 29577

Myrtle Beach, S. C. 29577

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DEC 10 2013

SC Court of Appeals


 Howell V. Bellamy, III

December 4, 2013

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SC Court of Appeals

PROOF OF SERVICE OF NOTICE OF APPEAL

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM HORRY COUNTY
Court of Common Pleas

William H. Seals, Jr., Circuit Court Judge

Case No. 2013-CP-26-5009

K N S Foundation, LLC, d/b/a/ Elite Appellant

v.

City of Myrtle Beach Respondent

PROOF OF SERVICE

I, Lynn Hearl, of the Law Firm of Bellamy, Rutenberg, Copeland, Epps, Gravely & Bowers, P.A., certify that I have this day, Wednesday December 4, 2013, served a copy by U. S. Postal Service, Certified Mail Return Receipt Requested to the following individuals: (1) Appellant's Notice of Appeal, (2) a copy of the divided order of the City of Myrtle Beach Council suspending K N S Foundation, LLC d/b/a Elite's 3 business licenses signed only by Mayor Pro Temp Wayne Gray on July 9, 2013, (3) a copy of Judge William H. Seals, Jr.'s order denying amended appeal of KNS Foundation, LLC, d/b/a/ Elite filed on September 30, 2013, and (4) a copy of Judge William H. Seals, Jr.'s order denying KNS Foundation, LLC's Motion to Reconsider, Alter and Amend the Court's Order, pursuant to Rules 52 and 59, SCRCF filed on November 6, 2013, to the following addresses of Respondent's Counsel:

Michael W. Battle, Esquire
Battle Law Firm, LLC
1200 Main Street
Conway, South Carolina 29528
843-248-4321 Telephone
mbattle@battlevaught.com

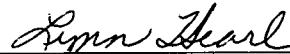
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SC Court of Appeals

Attorney for Respondent

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tellenburg@cityofmyrtlebeach.com
Attorney for Respondent



Lynn Hearl

December 4, 2013

Myrtle Beach, SC

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