

RECEIVED
Sep 25 2026
SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM CHARLESTON COUNTY
Court of Common Pleas

Thomas J. Rode, Circuit Court Judge

Cases No. 2024-CP-10-04208 & 2024-CP-10-06378
Appellate Case No. 2026-001917

Thomas Jermyn, Respondent,

v.

The City of Folly Beach, Appellant,

AND

Park Lane Partners, LLC, and Elizabeth Spratt Cooper, Respondents,

v.

The City of Folly Beach, Appellant.

APPELLANT CITY OF FOLLY BEACH'S RETURN TO
MOTION TO TRANSFER OR CERTIFY APPEAL TO THE SUPREME COURT

This matter is before the Court on the motion of Respondents Park Lane Partners, LLC, and Elizabeth Spratt Cooper to transfer, or, alternatively, certify, this appeal from the South Carolina Court of Appeals to the South Carolina Supreme Court. Appellant City of Folly Beach hereby agrees that, as the circuit court's order pertains to an initiative and referendum, this appeal pertains to the holding or conduct of elections and election procedure and therefore belongs in the South Carolina Supreme Court. In the alternative, the South Carolina Supreme Court should

certify this appeal because it presents a matter of significant public interest that involves legal principals of major importance pursuant to Rule 204(b), SCACR. Therefore, Appellant asks that this appeal be transferred, or, alternatively, certified, to the South Carolina Supreme Court for direct review.

Respectfully submitted,

/s/ Joseph C. Wilson, IV
Joseph C. Wilson, IV (SC Bar No.: 63009)
City Attorney, City of Folly Beach
P.O. Box 178
Folly Beach, South Carolina 29439
Telephone: (843) 834-2390
Email: joe@follybeachlaw.com

/s/ Stephen L. Brown
CLEMENT RIVERS, LLP
Stephen L. Brown (SC Bar No.: 66468)
Graydon V. Olive, IV (SC Bar No.: 105319)
P.O. Box 993, Charleston, SC 29402
Telephone: (843) 720-5488
Facsimile: (843) 579-1369
Email: sbrown@ycrlaw.com
golive@ycrlaw.com

Attorneys for Appellant City of Folly Beach

September 25, 2026

Charleston, South Carolina

RECEIVED
Sep 25 2026
SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM CHARLESTON COUNTY
Court of Common Pleas

Thomas J. Rode, Circuit Court Judge

Cases No. 2024-CP-10-04208 & 2024-CP-10-06378
Appellate Case No. 2026-001917

Thomas Jermyn, Respondent,

v.

The City of Folly Beach, Appellant,

AND

Park Lane Partners, LLC, and Elizabeth Spratt Cooper, Respondents,

v.

The City of Folly Beach, Appellant.

PROOF OF SERVICE

I certify that, on September 25, 2026, **Appellant City of Folly Beach's Return to Motion to Transfer or Certify Appeal to the Supreme Court** was served on David W. Whittington, Esquire, counsel for Respondent Thomas P. Jermyn, via e-mail to his primary e-mail address listed in the Attorney Information System, david@whittingtonlawfirm.com, and on Ainsley Fisher Tillman, Esquire, and Robert E. Byrd, Esquire, counsel for Respondents Park Lane Partners, LLC, and Elizabeth Spratt Cooper, via e-mail to their primary e-mail addresses listed in the Attorney Information System, Ainsley.Tillman@FordWallace.com and Robert.Byrd@FordWallace.com. See attached email.

<SIGNED ON THE FOLLOWING PAGE>

Respectfully submitted,

/s/ Stephen L. Brown

CLEMENT RIVERS, LLP

Stephen L. Brown (SC Bar No.: 66468)

Graydon V. Olive, IV (SC Bar No.: 105319)

P.O. Box 993, Charleston, SC 29402

Telephone: (843) 720-5488

Facsimile: (843) 579-1369

Email: sbrown@ycrlaw.com

golive@ycrlaw.com

Attorneys for Appellant City of Folly Beach

September 25, 2026

Charleston, South Carolina

Hines, Russell

RECEIVED

Sep 25 2026

From: Hines, Russell
Sent: Friday, September 25, 2026 11:09 AM
To: 'Ainsley Tillman'; Robert Byrd; David Whittington
Cc: Joe Wilson; Olive, IV, Graydon; Brown, Stephen L.; joe@follybeachlaw.com; Justman, Aimee; Mammoser, Amanda; Thomas, Hampden
Subject: Jermyn/Park Lane v. Folly Beach (2026-001917) -- City's Return to Motion to Transfer or Certify
Attachments: Jermyn - Park Lane v. Folly Beach (2026-001917) -- City's Return to Motion to Transfer or Certify.pdf

SC Court of Appeals

Attached for service in the above-referenced matter please find **Appellant City of Folly Beach's Return to Motion to Transfer or Certify Appeal to the Supreme Court.**

Russell G. Hines
CLEMENT RIVERS, LLP
www.ycrlaw.com
25 Calhoun Street, Suite 400
Charleston, South Carolina 29401
P.O. Box 993 (29402)
Phone: (843) 720-5488
Fax: (843) 579-1327
Email: rhines@ycrlaw.com



CLEMENT RIVERS, LLP
25 Calhoun Street • Suite 400 • Charleston, SC 29401
ycrlaw.com