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Sep 30 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.

RESPONDENT THOMAS JERMYN'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. Respondent Thomas Jermyn 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. Thus, Respondent Jermyn joins in the Motion to Transfer filed by Respondent Park Lane Partners, LLC, and Elizabeth Cooper. Alternatively, the South Carolina

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

Respectfully Submitted,

s/ David W. Whittington

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Attorney for Respondent, Thomas Jermyn

September 30, 2026
Charleston, South Carolina

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PROOF OF SERVICE

I certify that, on September 30, 2026, **Respondent Thomas Jermyn's Return to Motion to Transfer or Certify Appeal to the Supreme Court** was served on Joseph Wilson, IV, Esquire, Stephen Brown, Esquire, and Graydon Oliver, IV, Esquire, counsel for Appellant City of Folly Beach, via e-mail to their primary e-mail address listed in the Attorney Information System, jwilson@follybeach.gov, sbrown@ycrlaw.com and golive@ycrlaw.com, and on Ainsley Fisher Tillman, Esquire, and Robert E. Byrd, Esquire, counsel for Respondents Park Lane Partners, LLC via e-mail to their primary e-mail addresses listed in the Attorney Information System, Ainsley.Tillman@FordWallace.com and Robert.Byrd@FordWallace.com.

<SIGNATURE PAGE TO FOLLOW>

Respectfully Submitted,

s/ David W. Whittington

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