

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

---

APPEAL FROM HORRY COUNTY  
Court of Common Pleas

71693

Benjamin H. Culbertson  
Circuit Court Judge

---

Case No.: 2012-CP-26-8652

---

TriStar Investors, Inc., Minerva Realty, LLC, and  
Angeline Johnson, ..... Appellants

v.

The Horry County Council and American Towers, LLC. .... Respondents

Appellate Case No. 2013-001178

---

**RESPONDENT HORRY COUNTY COUNCIL'S MOTION TO  
RELIEVE J. JACKSON THOMAS AS COUNSEL OF RECORD**

---

Pursuant to Rule 264(b) of the South Carolina Appellate Court Rules, Respondent The Horry County Council ("Respondent") requests that this Court allow J. Jackson Thomas to withdraw as counsel of record for Respondent. The basis for this motion is that J. Jackson Thomas is entering semi-retirement and will no longer represent Respondent in this appeal.

Respondent has been represented from the outset of this appeal by Emma Ruth Brittain and she will continue representation of Respondent until final disposition. The withdrawal of Mr. Thomas will not impact representation of the Respondent, prejudice Respondent in any manner or delay this appeal.

**RECEIVED**

MAR 25 2014

**SC Court of Appeals**

Respondent respectfully requests an Order from the Court granting this Respondent's Motion to Relieve Counsel.

Respectfully submitted,

A handwritten signature in cursive script that reads "Emma Ruth Brittain".

Emma Ruth Brittain, Esquire

Thomas & Brittain, P.A.

Post Office Box 1290

Myrtle Beach, South Carolina 29578

(843) 692-2628

ATTORNEYS FOR RESPONDENT

THE HORRY COUNTY COUNCIL

March 21, 2014

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

---

APPEAL FROM HORRY COUNTY  
Court of Common Pleas

Benjamin H. Culbertson  
Circuit Court Judge

---

Case No.: 2012-CP-26-8652  
Appellate Case No.: 2013-001178

---

TriStar Investors, Inc., Minerva Realty, LLC, and  
Angeline Johnson .....Appellant

v.

The Horry County Council and American Towers, LLC ..... Respondents

---

PROOF OF SERVICE

---

I, Kimberly W. Nobles, legal assistant for the attorney representing Respondent  
The Horry County Council, hereby certify that I have served all counsel in this action  
with a copy of the pleading(s) hereinbelow specified by mailing a copy of the same by  
United States Mail, postage prepaid, to the following address(es):

Pleadings:

Respondent Horry County Council's Motion to Relieve J. Jackson Thomas as  
Counsel of Record

**RECEIVED**

MAR 25 2014

**SC Court of Appeals**

Counsel Served:

Attorneys for Appellants TriStar Investors, Inc.,  
Minerva Realty, LLC, and Angeline Johnson:

Susan P. MacDonald, Esquire  
Nelson, Mullins, Riley & Scarborough, LLP  
3751 Robert M. Grissom Parkway I Suite 300  
Post Office Box 3939 (29578-3939)  
Myrtle Beach, South Carolina 29577-3165

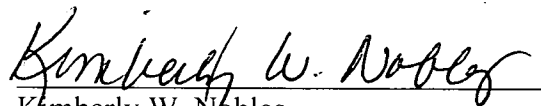
Michael J. Anzelmo, Esquire  
Nelson, Mullins, Riley & Scarborough, LLP  
1320 Main Street I 17th Floor  
Post Office Box 11070  
Columbia, South Carolina 29201

L. Morgan Martin, Esquire  
L. Morgan Martin, P.A.  
1121 Third Avenue  
Conway, South Carolina 29526

Attorneys for Defendant American Tower, LLC:

David C. Slough, Esquire  
Nexsen Pruet, LLC  
1101 Johnson Avenue, Suite 300  
Myrtle Beach, SC 29577

Jonathan L. Yates, Esquire  
Thomas S. Tisdale, Jr., Esquire  
Jason S. Smith, Esquire  
Hellman Yates & Tisdale, PA  
145 King Street, Suite 102  
Charleston, SC 29401



Kimberly W. Nobles  
THOMAS & BRITAIN, P.A.  
Post Office Box 1290  
Myrtle Beach, South Carolina 29578  
(843) 692-2628

March 21, 2014

THOMAS & BRITTAIN, P. A.

ATTORNEYS AT LAW

1314 PROFESSIONAL DRIVE  
MYRTLE BEACH, SOUTH CAROLINA 29577

EMMA RUTH BRITTAIN\*  
ERBrittain@MYRlaw.com

TELEPHONE (843) 692-2628

FACSIMILE (843) 692-0928

MAILING ADDRESS:  
POST OFFICE BOX 1290  
MYRTLE BEACH, SC 29578

\*CERTIFIED EMPLOYMENT  
& LABOR LAW SPECIALIST

March 21, 2014

The Honorable Jenny Abbott Kitchings  
Clerk, South Carolina Court of Appeals  
Post Office Box 11629  
Columbia, South Carolina 29211

Re: TriStar Investors, Inc., Minerva Realty, LLC and Angeline Johnson v.  
The Horry County Council and American Towers, LLC  
Civil Action No.: 2012-CP-26-8652  
Appellate Case No: 2013-001178

Dear Ms. Kitchings:

Our firm represents The Horry County Council in the above-referenced matter. Please find enclosed for filing the original and seven copies of the Respondent The Horry County Council's Motion to Relieve J. Jackson Thomas as Counsel of record in this case. Please return a clocked copy of the document to our office in the enclosed self-addressed stamped envelope. Also, please find enclosed our firm's check in the amount of \$25.00 for the filing fee.

Please do not hesitate to contact our office if you have any questions.

Sincerely yours,

THOMAS & BRITTAIN, P.A.



Emma Ruth Brittain

ERB/kwn

Enclosures

cc: Susan P. MacDonald, Esquire  
Michael J. Anzelmo, Esquire  
L. Morgan Martin, P.A.  
David C. Slough, Esquire  
Jonathan L. Yates, Esquire  
Thomas S. Tisdale, Jr., Esquire  
Jason S. Smith, Esquire  
Arrigo P. Carotti, Esquire, Horry County Attorney

RECEIVED

MAR 25 2014

SC Court of Appeals



THOMAS & BRITAIN, P.A.  
POST OFFICE BOX 1290  
MYRTLE BEACH, S.C. 29578

**RECEIVED**

MAR 25 2014

**SC Court of Appeals**

To:  
The Honorable Jenny Abbott Kitchings  
Clerk, South Carolina Court of Appeals  
Post Office Box 11629  
Columbia, South Carolina 29211

