



June 18, 2014

Office of the City Attorney

**VIA FACSIMILE
(803) 734-1499
AND PRIORITY MAIL**

Hon. Daniel E. Shearouse
Clerk of Court
The Supreme Court of South Carolina
P.O. Box 11330
Columbia, SC 29211

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JUN 23 2014

S.C. SUPREME COURT

RE: Amrik Singh v. City of Greenville
Appellate Case No. 2012-212321

Dear Mr. Shearouse:

Your letter of May 30, 2014, asked the Appellant's counsel whether the demolition of the structure which housed the disputed hotel business operations meant that the issues being petitioned for review are now moot. By a letter dated June 9, 2014, Appellant's counsel responded and raised other issues. The purpose of this letter is to take exception to Appellant's counsel's representations which go beyond the scope of the pending petition for certiorari and to refute the accuracy of allegations made by Appellant's counsel regarding actions purportedly taken by the City of Greenville after the close of the record.

The City of Greenville revoked the Appellant's business license for the reasons made clear in the Court of Appeals decision, rendered on April 28, 2012, [*Singh v. City*, Op. No. 2012-UP-227]. The City of Greenville did not take possession of the premises by eminent domain or otherwise. It did not preclude Mr. Singh from placing the real property with improvements on the market, and it did not become involved in Pinnacle Bank's decision to foreclose when Mr. Singh failed to act himself. Further, the City of Greenville did not demolish the structures on the site; that action was taken by Pinnacle Bank after foreclosure proceedings were completed. Nor has the City of Greenville undertaken to develop the site, which belongs to a private party; all proposed ideas for development have come from prospective purchasers.

It is the City's position that the Appellant's claims for a lack of procedural due process were decided adversely to the Appellant by the Court of Appeals in its first decision filed on July 29, 2009 [R. Vol. 1 of 3, p. 211], and that ruling became the law of the case when the Appellant chose not to petition the Supreme Court for certiorari. Thereafter the Court of Appeals decided all other issues against the Appellant in its second decision, *supra*.

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In short, Respondent's position is that nothing has been shown to warrant granting the petition, and the petition should be dismissed. The Appellant's representations about subsequent actions of the City of Greenville are inaccurate and inappropriate for the assessment of its petition for certiorari.

Thank you for the opportunity to present these comments.

Sincerely,

CITY OF GREENVILLE



Robert P. Coler, on behalf of
Ronald W. McKinney
Counsel of Record for Respondent

RWM/nrm

cc: Ryan Lewis Beasley, Esquire
James Walter Fayssoux, Jr., Esquire
T. Hunt Reid, Esquire

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