

THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

**RECEIVED**

SEP 12 2014

APPEAL FROM BEAUFORT COUNTY  
Court of Common Pleas

**SC Court of Appeals**

J. Ernest Kinard, Jr., Circuit Court Judge

**RECEIVED**

SEP 12 2014

Case No. 2007-CP-07-2373

**SC Court of Appeals**

Matthew S. McAlhaney, ..... Respondent,

v.

Richard K. McElveen a/k/a Richard  
K. McElveen, Sr., Individually and  
d/b/a Battery Creek Marina, The Great  
Pumpkin, LLC, Linda McElveen, Richard  
K. McElveen, Jr., and Billy Joe Byrd, ..... Defendants,

of whom Richard K. McElveen, Sr., is the ..... Appellant.

---

**PROOF OF SERVICE**

---

The undersigned hereby certifies that on the date indicated below she served counsel for the Respondent with a copy of the *Final Brief of Appellant* by mailing copies of the same by United States Mail with first class postage prepaid to the following address:

Robert V. Mathison, Jr., Esquire  
MATHISON & MATHISON  
Post Office Box 5271  
Hilton Head Island, South Carolina 29938

September 12, 2014  
Columbia, South Carolina

  
Erin Bridges

THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

---

APPEAL FROM BEAUFORT COUNTY  
Court of Common Pleas

J. Ernest Kinard, Jr., Circuit Court Judge

---

Case No. 2007-CP-07-2373

---

Matthew S. McAlhaney, ..... Respondent,

v.

Richard K. McElveen a/k/a Richard  
K. McElveen, Sr., Individually and  
d/b/a Battery Creek Marina, The Great  
Pumpkin, LLC, Linda McElveen, Richard  
K. McElveen, Jr., and Billy Joe Byrd, ..... Defendants,

of whom Richard K. McElveen, Sr., is the ..... Appellant.

---

**CERTIFICATE OF COMPLIANCE**

---

Pursuant to Rule 211(a), SCACR, I certify that the *Brief of Respondent* complies with the provisions of Rule 211(b), SCACR, and with the April 15, 2014, Supreme Court Order regarding personal data identifiers.

**RECEIVED**

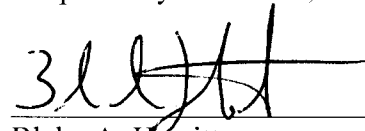
SEP 12 2014

**SC Court of Appeals**

/Signature page attached

September 12, 2014

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Blake A. Hewitt', written over a horizontal line.

Blake A. Hewitt

John S. Nichols

BLUESTEIN NICHOLS

THOMPSON & DELGADO

Post Office Box 7965

Columbia, SC 29202

(803) 779-7599

(803) 779-8995 (facsimile)

bhewitt@bntdlaw.com

jsnichols@bntdlaw.com

Attorneys for Appellant



Margaret Miles Bluestein  
John Shannon Nichols  
Stacy Elizabeth Thompson  
John Dennis Delgado  
Allison Paige Sullivan  
Ashley Trout Thompson  
Blake Alexander Hewitt  
Kenneth Henry Dojaquez  
John Clarke Newton

OF COUNSEL  
O. Eugene Powell, Jr.

September 12, 2014

**VIA HAND DELIVERY**

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

RE: Matthew S. McAlhaney v. Richard K. McElveen, Sr.  
Case Tracking No. 2010-167969

Dear Ms. Kitchings:

Please find enclosed for filing the original unbound and fifteen (15) bound copies of the Final Brief of Appellant in reference to this case. I have also enclosed a certificate of compliance and proof of service on counsel for the Respondent. Please return the additional filed copies to me via our courier.

Additionally, I would very much appreciate it if someone from your staff would please contact our office prior to disposing of any extra copies of the final brief and the record on appeal.

Thank you for your attention to this matter. If you have any questions or need any additional information, please do not hesitate to contact me.

Sincerely,

Erin Bridges  
Paralegal to Blake A. Hewitt  
BLUESTEIN, NICHOLS, THOMPSON &  
DELGADO, LLC

**RECEIVED**  
SEP 12 2014  
**SC Court of Appeals**

/emb

Enclosures

cc: Robert V. Mathison, Jr., Esquire