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D. Conor Keys, Esq.  
843 Robert E. Lee, Blvd.  
Charleston, SC 29412  
Phone: 843-906-3998  
[dconorkeys@gmail.com](mailto:dconorkeys@gmail.com)

**RECEIVED**

DEC 29 2014

**SC Court of Appeals**

December 23, 2014

V. Claire Allen, Deputy Clerk  
Clerk of Court, SC Court of Appeals  
P.O. Box 11629  
Columbia, SC 29211

**RE: Belle Hall Plantation Homeowner's Association, Inc. v. John A. Murray, Trustee of John E. Murray Gloria C. Murray Family Trust  
Case: 2013-CP-10-4248**

Ms. Allen :

I am writing this letter in response to your letter dated December 23, 2014. In order to respond to your request I will provide a little background as to the relevant facts.

Ms. Reece's December 8, 2014, letter asserts that the lower court is still reviewing a formal order denying the Appellants' Motion for Reconsideration of the July 22, 2014, Order which was denied by a Form Four Order filed by Judge Scarborough on August 20, 2014. The Form Order states in relevant part: "Keys' motion to reconsider is denied. Keys' motion to strike the affidavits is denied. Keys' motion to stay vacating the sale and order of F/C and for Supersedeas is denied. Defendant Murray's motion to amend the order is granted. Formal order to follow." During the August 18, 2014, hearing on the matters Judge Scarborough made his rulings and then stated: "I'm asking Ms. Reece to prepare an order to that effect. . ." (August 18, 2014, Transcript, p. 36, lines 7-9.)

In order to comply with time requirements of Rule 59, SCRCPC, Appellants filed a Motion to Reconsider the August 20, 2014, Order, referenced above.

In order to comply with the time requirements of Rule 203, SCAR, Appellants served a Notice of Appeal on September 19, 2014. The Notice appealed the July 22, 2014 and August 20, 2014 Orders. Appellants served the Notice of Appeal on the lower court as well as counsel of record including Ms. Reece.

On September 19, 2014, the same day as Appellants filed their Notice of Appeal with the lower court. Judge Scarborough filed a denial of the Appellants Motion for Reconsideration of the August 20, 2014 Form Order.

On October 7, 2014, Appellants filed an Amended Notice of Appeal to include within Appellants Appeal Judge Scarborough's September 19, 2014, Order Denying

Appellants' Motion to Reconsider the Form Order filed August 20, 2014. Appellant served the Amended Notice of Appeal upon the lower court as well as counsel of record including Ms. Reece.

On November 3, 2014, Ms. Reece submitted to Judge Scarborough for consideration a proposed formal order for the August 18, 2014, hearing.

To date Appellants have not received a signed a filed Formal Order from Judge Scarborough with regard to the August 18, 2014, hearing.

Given the fact that Judge Scarborough has not signed and filed the proposed order and nearly two months has passed since Ms. Reece submitted the proposed order to Judge Scarborough; the fact that the proposed order was submitted after Judge Scarborough denied a Motion to Reconsider the corresponding Form Order of August 20, 2014; and the fact the proposed Order was submitted by Ms. Reece after a Notice of Appeal and Amended Notice of Appeal had been filed with the lower court, Appellants are of the opinion and belief that Judge Scarborough is not reviewing the proposed order submitted by Ms. Reece on November 3, 2014, and does not intend to issue a further order in the matter. However, Appellants do not know what Judge Scarborough is or is not going to do, and therefore perhaps the appropriate course to take as to this matter is to consult Judge Scarborough. I hope this answers your question. Please let me know if I may be of further assistance.

With kind regards,



D. Conor Keys

Enclosures:

(as stated)

CC:

Amanda Reece

Stephanie Trotter

Mary Leigh Arnold, PA  
749 Johnnie Dodds Blvd., Suite B  
Mt. Pleasant, SC 29464

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