



# The Supreme Court of South Carolina

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March 25, 2015

The Honorable Jerri Ann Roseneau  
PO Box 1128  
Beaufort SC 29901-1128

## REMITTITUR

Re: Gregory Gottschlich v. Strimpfel Custom Homes  
Lower Court Case No. 2008CP0700517  
Appellate Case No. 2013-000375

Dear Clerk of Court:

The above referenced matter is hereby remitted to the lower court or tribunal. A copy of the judgment of this Court along with the earlier decision of the South Carolina Court of Appeals is enclosed.

Very truly yours,

CLERK



cc: Charles E. Carpenter, Jr., Esquire  
Max G. Mahaffee, Esquire  
Susan Taylor Wall, Esquire  
Henry Wilkins Frampton, IV, Esquire  
Thomas N. Dye, Jan H. Dye

**THIS OPINION HAS NO PRECEDENTIAL VALUE. IT SHOULD NOT BE  
CITED OR RELIED ON AS PRECEDENT IN ANY PROCEEDING  
EXCEPT AS PROVIDED BY RULE 268(d)(2), SCACR.**

**THE STATE OF SOUTH CAROLINA  
In The Supreme Court**

Gregory M. Gottschlich and Donald L. McNeil,  
Petitioners,

v.

Strimpfel Custom Homes, Inc.; Joseph A. Reeve; Jerry L.  
Richardson; Coastal Surveying, Co., Inc.; Thomas N.  
Dye; Jan H. Dye; Ken Oliver; The Byrne Corporation,  
d/b/a Dunes Marketing Group; Laurich & Deeb, P.A.;  
Robert M. Deeb, Jr. and Charles H. Wiseman,  
Defendants,

of whom Ken Oliver, The Byrne Corporation d/b/a  
Dunes Marketing Group, Laurich & Deeb, P.A., Robert  
M. Deeb, Jr. and Charles H. Wiseman are, Respondents.

Appellate Case No. 2013-000375

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**ON WRIT OF CERTIORARI TO THE COURT OF APPEALS**

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Appeal From Beaufort County  
The Honorable Marvin H. Dukes, III, Circuit Court Judge

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Memorandum Opinion No. 2015-MO-013  
Heard January 14, 2015 – Filed March 25, 2015

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**DISMISSED AS IMPROVIDENTLY GRANTED**

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Charles E. Carpenter, Jr., of Carpenter Appeals & Trial Support, LLC, of Columbia, for Petitioners.

Susan Taylor Wall and Henry Wilkins Frampton, both of McNair Law Firm, PA, of Charleston, Max G. Mahaffee, of Grimball & Cabaniss, LLC, of Charleston, for Respondents.

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**PER CURIAM:** We granted certiorari to review the decision of the Court of Appeals in *Gottschlich v. Strimpfel Custom Homes, Inc.*, Op. No. 2012-UP-676 (S.C. Ct. App. filed Dec. 19, 2012). We now dismiss the writ as improvidently granted.

**DISMISSED AS IMPROVIDENTLY GRANTED.**

**TOAL, C.J., PLEICONES, BEATTY, KITTREDGE and HEARN, JJ.,  
concur.**

**THIS OPINION HAS NO PRECEDENTIAL VALUE. IT SHOULD NOT BE  
CITED OR RELIED ON AS PRECEDENT IN ANY PROCEEDING  
EXCEPT AS PROVIDED BY RULE 268(d)(2), SCACR.**

**THE STATE OF SOUTH CAROLINA  
In The Court of Appeals**

Gregory M. Gottschlich and Donald L. McNeil,  
Appellants,

v.

Strimpfel Custom Homes, Inc.; Joseph A. Reeve; Jerry L.  
Richardson; Coastal Surveying, Co., Inc.; Thomas N.  
Dye; Jan H. Dye; Ken Oliver; The Byrne Corporation  
d/b/a Dunes Marketing Group; Laurich & Deeb, P.A.;  
Robert M. Deeb, Jr. and Charles H. Wiseman,  
Defendants,

Of whom Ken Oliver, The Byrne Corporation d/b/a  
Dunes Marketing Group, Laurich & Deeb, P.A., Robert  
M. Deeb, Jr. and Charles H. Wiseman are the,  
Respondents.

Appellate Case No. 2010-161986

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Appeal From Beaufort County  
Marvin H. Dukes, III, Master-in-Equity

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Unpublished Opinion No. 2012-UP-676  
Heard November 14, 2012– Filed December 19, 2012

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**AFFIRMED**

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Charles E. Carpenter, Jr. and Carmen Vaughn

Ganjehsani, of Carpenter Appeals & Trial Support, LLC,  
of Columbia, for Appellants.

Susan Taylor Wall, of McNair Law Firm, PA, of  
Charleston, for Respondents Laurich & Deeb, PA, Robert  
Deeb, Jr. & Charles Wiseman.

Max G. Mahaffee, of Grimball & Cabaniss, LLC, of  
Charleston, for Respondents Ken Oliver and The Byrne  
Corporation d/b/a Dunes Marketing Group.

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**PER CURIAM:** Affirmed pursuant to Rule 220(b), SCACR, and the following authorities: *Jones v. Lott*, 387 S.C. 339, 346, 692 S.E.2d 900, 903 (2010) ("Under the two issue rule, where a decision is based on more than one ground, the appellate court will affirm unless the appellant appeals all grounds because the unappealed ground will become the law of the case."); *id.* at 346, 692 S.E.2d at 903-04 (noting that the two issue rule can be applied to situations not involving a jury); *Anderson v. Short*, 323 S.C. 522, 525-26, 476 S.E.2d 475, 477 (1996) (affirming the trial court's decision because the plaintiff did not appeal all grounds for the decision); *see also* Jean Hoefler Toal, et al., *Appellate Practice in South Carolina* 80 (2nd ed. 2002) ("It is a fundamental rule of law that an appellate court will affirm a ruling by a lower court if the offended party does not challenge that ruling." (citations omitted)).

**AFFIRMED.**

**HUFF, THOMAS, and GEATHERS, JJ., concur.**