

The South Carolina Court of Appeals

Vivian Atkins, Robert P. Frick, and Kay Hollis, in their official capacities as members of the Town Council of the Town of Chapin, Appellants,

v.

James R. Wilson, Jr., in his official capacity as Mayor of the Town of Chapin, Gregg White in his official capacity as a member of the Town Council of the Town of Chapin, and the Town of Chapin, Defendants,

Of whom James R. Wilson, Jr., and Gregg White are Respondents.

Appellate Case No. 2014-000829

ORDER

Respondents have filed a motion to dismiss, arguing the law of the case doctrine renders the trial court's rulings conclusive because Appellants failed to designate the Town of Chapin as a Respondent on appeal. However, Respondents have not convinced this court that the omission of the Town as a Respondent affects this appeal other than on a substantive basis as to the merits. Because Respondents seek dismissal on a substantive basis, which is inappropriate at this stage of the appeal, the motion is denied. This court will consider the merits of this appeal once briefing is complete and the appeal has been assigned to a panel.



FOR THE COURT

Columbia, South Carolina

FILED
5/29/15

cc: Spencer Andrew Syrett, Esquire
Matthew Todd Carroll, Esquire