

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM GEORGETOWN COUNTY
William H. Seals, Jr., Circuit Court Judge

Appellate Case No. 2016-002379

RECEIVED

DEC 06 2016

SC Court of Appeals

Bonnie N. Charlton, Ronald L. Charlton, and Bayside Property, Inc. Respondents,

v.

South Bay Properties, LLC, Stantec Consulting Services, Inc. f/k/a Trico Engineering
Consultants, Inc., Milone & MacBroom, Inc., John Steven Goodwin, Louise C. Goodwin,
Thomas I. Puckett, Brenda C. Puckett, Robert Nahama, Jeanne E. Nahama, Thomas Holland
Sharon Louise Holland, Joyce K. Sobel, Robert W. Waruszewskiu, Richard N. Taylor, Robert K.
Spillers (a/k/a Robert Spillers) Deborah T. Spillers (a/k/a Deborah Spillers), Patrick A.
DiAngelo, Deborah A. DiAngelo, Gary E. Owens, and Joyce M. Owens, Fount L. Shults, Lynda
M. Shults, Dennis Ridgeway, Teresa Lynn Ridgeway and Georgetown County Forfeited Land
Commission Defendants,

Of Whom

John Steven Goodwin, Louise C. Goodwin, Gary E. Owens, and Joyce M. Owens are Appellants,

MOTION TO DISMISS APPEAL

Charles T. Smith (S.C. Bar #5070)
608 Cypress Street
Georgetown, South Carolina 29440
(843) 545-6578
Attorney for Respondents Bonnie N. Charlton,
Ronald L. Charlton, and Bayside Property, Inc.

Appellants are attempting to directly appeal the denial of a motion to amend their answers. An order denying a motion to amend an answer is not immediately appealable. *Baldwin Construction Company, Inc. v. Graham*, 357 S.C. 227, 593 S.E.2d 146 (2004). Therefore Respondents respectfully request that this appeal be dismissed.

Charles T. Smith

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Commission Defendants,

Of Whom

John Steven Goodwin, Louise C. Goodwin, Gary E. Owens, and Joyce M. Owens are Appellants,

CERTIFICATE OF SERVICE

Charles T. Smith (S.C. Bar #5070)
608 Cypress Street
Georgetown, South Carolina 29440
(843) 545-6578
Attorney for Respondents Bonnie N. Charlton,
Ronald L. Charlton, and Bayside Property, Inc.

I certify that on the 5th day of December, 2016, I served Respondents' Motion to Dismiss Appeal and Memorandum in Support of Motion to Dismiss Appeal by depositing copies in the United States Mail, with sufficient postage affixed, addressed to:

K. Douglas Thornton, Esquire
Thornton Law Firm, LLC
1025 Third Avenue
Conway, SC 29526
Attorney for John Steven Goodwin, Louise C.
Goodwin, Gary E. Owens and Joyce M.
Owens

John M. Leiter, Esquire
Law Offices of John M. Leiter, PA
1203 48th Avenue N, Suite 109
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Owens

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CHARLES T. SMITH

ATTORNEY AND COUNSELOR AT LAW
608 CYPRESS STREET
GEORGETOWN, SOUTH CAROLINA 29440

(843) 545-6578

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December 5, 2016

The Honorable Jenny Abbott Kitchings
Clerk, South Carolina Court of Appeals
1220 Senate Street
Post Office Box 11629
Columbia, South Carolina 29211

Re: Bonnie N. Charlton, et al. v. South Bay Properties, LLC, et al.
Appellate Case Number 2016-002379

Dear Ms. Kitchings:

Enclosed for filing are the original and six copies of Respondents' Motion to Dismiss Appeal and Memorandum in Support of Motion to Dismiss Appeal. Also inclosed are the Certificate of Service and the motion filing fee. By copies of this letter copies of the motion and memorandum are being served on Appellants' counsel.

Sincerely,

Charles T. Smith

Charles T. Smith

Enclosures

cc: Bonnie N. Charlton
K. Douglas Thornton, Esquire
John M. Leiter, Esquire

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