

2017-02-21-01

The Supreme Court of South Carolina

RE: Administrative Suspensions for Failure to Pay
License Fees Required by Rule 410 of the South
Carolina Appellate Court Rules (SCACR)

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MAR 03 2017

SC Court of Appeals

ORDER

The South Carolina Bar has furnished the attached list of lawyers (including those holding a limited certificate to practice law) who have failed to pay their license fees for 2017. Pursuant to Rule 419(d)(1), SCACR, these lawyers are hereby suspended from the practice of law. They shall surrender their certificate of admission to practice law to the Clerk of this Court by March 24, 2017.

Any petition for reinstatement must be made in the manner specified by Rule 419(e), SCACR. Additionally, if they have not verified their information in the Attorney Information System, they shall do so prior to seeking reinstatement.

These lawyers are warned that any continuation of the practice of law in this State after being suspended by this order is the unauthorized practice of law, and will subject them to disciplinary action under Rule 413, SCACR, and could result in a finding of criminal or civil contempt by this Court. Further, any lawyer who is aware of any violation of this suspension shall report the matter to the Office of Disciplinary Counsel. Rule 8.3, Rules of Professional Conduct for Lawyers, Rule 407, SCACR.

s/Donald W. Beatty C.J.

s/John W. Kittredge J.

s/Kaye G. Hearn J.

s/John Cannon Few J.

s/ George C. James, Jr J.

Columbia, South Carolina
February 21, 2017

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Mozella Nicholson
PO Box 3963

THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Beaufort County

Court of Common Pleas

Carmen Tevis Mullen
Circuit Court Judge

Appellate Case No. 2016-001113

Trial Court Case No. 2014-CP-07-02670

RECEIVED

MAR 03 2017

SC Court of Appeals

BENJAMIN C. GECY, RIVER CITY DEVELOPERS, LLC and
RIVER CITY REAL ESTATE, LLCAppellants,

v.

SOMERSET POINT AT LADY'S ISLAND HOMEOWNERS'
ASSOCIATION, INC., f/k/a COOSAW RIVER ESTATES
HOMEOWNERS' ASSOCIATION, LLC, HILTON C. SMITH,
JR., COOSAW INVESTMENTS, LLC, and HILTON C. SMITH
JR., INC. OF SOUTH CAROLINADefendants,

Of which HILTON C. SMITH, JR., COOSAW INVESTMENTS,
LLC, and HILTON C. SMITH, JR., INC. OF SOUTH
CAROLINA are Respondents.

PROOF OF SERVICE

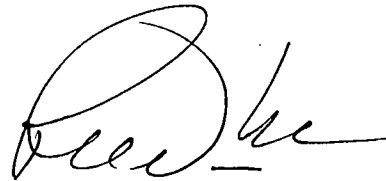
I, Robert V. Mathison, Jr., hereby certify that on March 1, 2017, I filed and served by mail the original and copies of the Letter/Motion (bearing today's date) of Robert V. Mathison, Jr., to Hold in Abeyance the Time to File and Serve the Appellants' Initial Brief and Designation of Matter through and including March 8, 2017, by depositing same, with sufficient first class postage prepaid, at the United States Post Office at Asheville, North Carolina, addressed as follows:

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

Morgan S. Templeton, Esquire
Peden Brown McLeod, Esquire
Wall, Templeton & Haldrup, P.A.
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Duke R. Highfield, Esquire
Jeffrey J. Wiseman, Esquire
Young Clement Rivers, LLP
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Charleston, South Carolina 29402

E. Mitchell Griffith, Esquire
Kelly D. Dean, Esquire
Griffith, Sharp & Liipfert, P.A.
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Robert V. Mathison, Jr.
S.C. Bar No. 3685
Attorney for the Appellants
Benjamin C. Gecy, River City
Developers, LLC, and River City
Real Estate, LLC

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March 1, 2017.

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SC Court of Appeals

March 1, 2017

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

Re: Benjamin C. Gecy, et al. v. Somerset Point at Lady's Island Homeowners'
Association, Inc., et al.
Case No. 2014-CP-07-02670
Appellate Case No. 2016-001113

Dear Ms. Kitchings:

This letter is to advise that I have been administratively suspended for failure to pay bar dues by Order of the Supreme Court of South Carolina dated February 21, 2017. The full order can be found on the web site for South Carolina Judicial Administration (www.sccourts.org), and a copy of the applicable pages, without the extensive list of names, has been enclosed.

I learned of this eventuality on the evening of February 21, 2017, and I have devoted a great deal of time and effort to rectifying the situation. My Petition for Reinstatement under Rule 419(e), SCACR, has been completed and submitted, but, it has not been ruled on.

Currently, I am under a deadline in the case referenced above, under the Order dated February 15, 2017, to have the Appellants' Initial Brief and Designation of Matter filed and served by today's date. I ask, as a matter of grace, that the foregoing deadline be held in abeyance through and including March 8, 2017. Although I am swimming in what, for me, are uncharted waters, I believe that amount of time should be sufficient to obtain a ruling on my petition from the Supreme Court.

If no ruling is forthcoming by March 8, 2017, or in the event of an adverse ruling, I will so advise the Court, and request time for my clients to retain new counsel. There is no likelihood of *pro se* representation by the Appellants because of the participation in the appeal of the limited liability companies.

Realizing that, with respect to the administrative suspension, I am the author of my own undoing, I submit, nevertheless, that it would be unfair to penalize the Appellants for my oversight.

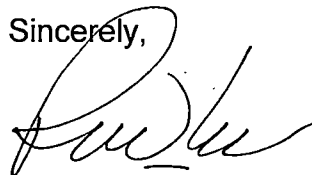
The Honorable Jenny Abbott Kitchings
March 1, 2017
Page 2

Also, I am hopeful that this request may be treated as "a conversation among colleagues," to include, of course, those attorneys listed below to whom copies of this letter have been sent, so as not to violate the Order of the Supreme Court.

However, if it cannot be so, then I ask that this letter be treated as a motion. Toward that end, I have enclosed a Proof of Service and six copies of this letter, as well as a check in the amount of \$25.00.

With kind regards, I am

Sincerely,

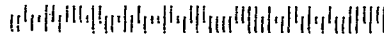


Robert V. Mathison, Jr.
S.C. Bar No. 3685

RVM:bh

Enclosures

cc: Morgan S. Templeton, Esquire
Peden Brown McLeod, Esquire
Duke R. Highfield, Esquire
Jeffrey J. Wiseman, Esquire
E. Mitchell Griffith, Esquire
Kelly D. Dean, Esquire
Mr. Benjamin C. Gecy



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