

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM CHARLESTON COUNTY
Court of Common Pleas

R. Markley Dennis, Jr., Circuit Court Judge

Appellate Case No. 2015-002297

RECEIVED

MAR 20 2017

SC Court of Appeals

John Doe,Appellant,

v.

Board of Zoning Appeals (BZA) and Town of Sullivan's Island (S.I.),
S.I. Zoning Administrator, and S.I. Building Dept., Individually and in
Official Capacity, Respondents.

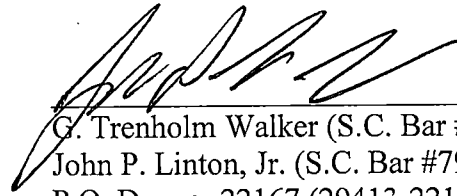
STATUS UPDATE BY RESPONDENTS

On February 15, 2017, this Court issued an Order holding this appeal in abeyance and partially remanding the matter to circuit court for consideration of an outstanding motion. The order required the parties to provide a status update within thirty days of the date of the Order.

The February 15, 2017 Order was filed in the Circuit Court on February 27, 2017. *See Ex. A.* Order filed February 27, 2017. Additionally, the attached letter from Respondents' counsel was served on February 24, 2017 and filed in the Circuit Court on February 27, 2017. *See Ex. B.* Correspondence from John P. Linton, Jr. Respondents are unaware of any other action on this matter during the last thirty days.

Respectfully Submitted,

WALKER GRESSETTE FREEMAN & LINTON, LLC



G. Trenholm Walker (S.C. Bar #5777)

John P. Linton, Jr. (S.C. Bar #79130)

P.O. Drawer 22167 (29413-2216)

Charleston, SC 29403

Phone: (843) 727-2200

Attorneys for Respondents

Email: walker@wgflaw.com

linton@wgflaw.com

March 15, 2017

Charleston, South Carolina

2015-CP-10-725

The South Carolina Court of Appeals

John Doe, Appellant,

v.

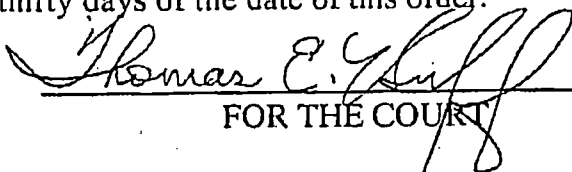
Board of Zoning Appeals (BZA) and Town of Sullivan's
Island (S.I.), S.I. Zoning Administrator, and S. I.
Building Dept., Individually and In Official Capacity,
Respondents.

Appellate Case No. 2015-002297

FILED
2017 FEB 27 AM 11:50
JULIE J. ARMSTRONG
CLERK OF COURT

ORDER

A review of the public index reveals there is a post-trial motion pending in this matter in the circuit court. Accordingly, this appeal is held in abeyance and partially remanded for consideration of the outstanding motion. The parties must provide a status update within thirty days of the date of this order.

 J.
FOR THE COURT

Columbia, South Carolina

cc:
Cynthia Holmes
John Phillips Linton, Jr., Esquire
George Trenholm Walker, Esquire
The Honorable R. Markley Dennis, Jr.
The Honorable Julie J. Armstrong

FILED
February 15, 2017

Ex. B

15-775

CERTIFICATE OF SERVICE

I DO HEREBY certify that on this date I have served a copy of the **CORRESPONDENCE FROM JOHN P. LINTON, JR. TO MS. CAROLINE LEONARD DATED 02/24/17** by placing the same in the United States mail,

first class postage prepaid, to the following address indicated as follows:

John Doe
C. Holmes
P.O. Box 187
2061 Middle Street
Sullivan's Island, SC 29482-0187

February 24, 2017

Charleston, SC



Sherry Royster

BY _____

JULIE J. ARMSTRONG
CLERK OF COURT

2017 FEB 27 AM 11:50

FILED

Ex. B



G. Trenholm Walker
Thomas P. Gressette, Jr.
Ian W. Freeman
John P. Linton, Jr.

JOHN P. LINTON, JR.
Direct: 843.727.2252
Email: Linton@WGFLAW.com

February 24, 2017

U.S.MAIL[X] EMAIL[]

Caroline Leonard
Charleston County Clerk of Court
100 Broad Street
Charleston, SC 29401

RE: **John Doe v. Board of Zoning Appeals, et al**
Appellate Case No.: 2015-002297
Common Pleas Case No.: 2015-CP-10-0775
Our File No.: 6670.001

Dear Ms. Leonard,

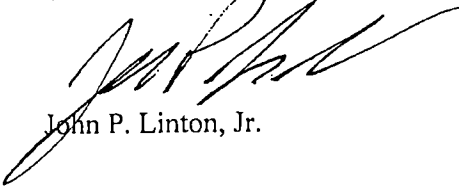
My firm represents the Defendants in the above captioned matter. Enclosed herewith is a copy of an Order from the South Carolina Court of Appeals stating that there is a post-trial motion pending in the circuit court and that the appeal is held in abeyance and partially remanded for consideration of the outstanding motion. The Order also provides that the parties provide a status update to the Court of Appeals within thirty days of February 15, 2017.

I believe the Order is referring to the "NOTICE OF MOTION AND RULE 59(E), SCRPC, MOTION" filed by Plaintiff on October 21, 2015.¹ I wanted to make sure that your office was aware of the Court of Appeals directive that the post-trial motion be considered.

With kind regards, I am,

Sincerely yours,

WALKER GRESSETTE FREEMAN & LINTON, LLC



John P. Linton, Jr.

¹ Plaintiff also filed a Notice of Motion and Motion for Sanctions as to Defendants' Counsel on October 14, 2015, which is also pending. However, Plaintiff has requested, via fax to your office on February 14, 2017; "continuance of SC Code S 15-36-10 etc. motion pending pertinent Appeals Court decision" and Defendants have agreed to that request.

Ex. B

CAROLINE LEONARD
Page 2 of 2
February 23, 2017

cc: Cynthia Holmes
The Honorable R. Markley Dennis, Jr.
The Honorable Jenny Abbott Kitchings

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM CHARLESTON COUNTY
Court of Common Pleas

R. Markley Dennis, Jr., Circuit Court Judge

Case No. 2015-002297

RECEIVED

MAR 20 2017

SC Court of Appeals

John Doe,Appellant,

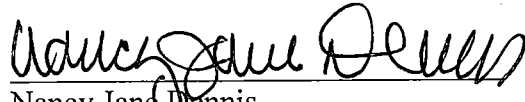
v.

Board of Zoning Appeals (BZA) and Town of Sullivan's Island (S.I.), S.I.
Zoning Administrator, and S.I. Building Dept., Individually and in
Official Capacity, Respondents.

PROOF OF SERVICE

I certify that I served Respondents' Status Update via United States Mail, First
Class, prepaid, to the Appellant at the address below on March 15, 2017:

John Doe
C. Holmes
P.O. Box 187
Sullivan's Island, SC 29482-0187


Nancy Jane Dennis
Paralegal



G. Trenholm Walker
Thomas P. Gressette, Jr.
Ian W. Freeman
John P. Linton, Jr.

JOHN P. LINTON, JR.
Direct: 843.727.2252
Email: Linton@WGFLAW.com

March 15, 2017

U.S.MAIL[X] EMAIL[]

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

RECEIVED
MAR 20 2017
SC Court of Appeals

Re: John Doe, Appellant, v. Board of Zoning Appeals (BZA) and Town of Sullivan's Island (S.I.), S.I. Zoning Administrator, and S.I. Building Dept., Individually and in Official Capacity, Respondents
Appellate Case No. 2015-002297

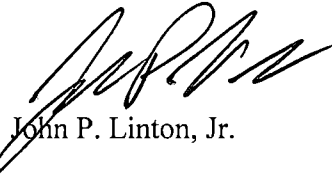
Dear Ms. Kitchings:

Enclosed please find the original and six copies of the Respondents' Status Update with Proof of Service.

With kind regards, I am,

Sincerely yours,

WALKER GRESSETTE FREEMAN & LINTON, LLC



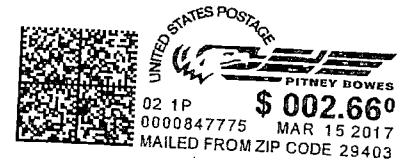
John P. Linton, Jr.

JPL/njd

cc: Cynthia Holmes
The Honorable R. Markley Dennis, Jr.
Caroline Leonard

**WALKER
GRESSETTE
FREEMAN
LINTON LLC**

66 Hasell Street, Charleston, SC 29401
PO Box 22167, Charleston, SC 29413



The Honorable Jenny Abbott Kitchings
Clerk of Court, S. C. Court of Appeals
P.O. Box 11629
Columbia, SC 29211

RECEIVED

MAR 20 2017

SC Court of Appeals