

STATE OF SOUTH CAROLINA  
In the Court of Appeals

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APPEAL FROM CHARLESTON COUNTY  
Court of Common Pleas  
The Honorable Alex Kinlaw, Jr.

Case No. 2017-CP-10-5382

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Project: Navy Base Intermodal Facility

Tract: 23S

South Carolina Department of Commerce,  
Division of Public Railways,

Appellant,

v.

Gateway Properties of Greater Charleston, LLC,

Respondent,

and

NBSC a division of Synovus Bank, VFC Partners 15 LLC, The Loft Pilates Center, LLC, Scott Miner, and County of Charleston,<sup>1</sup>

Other Condemnees.

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AMENDED NOTICE OF APPEAL

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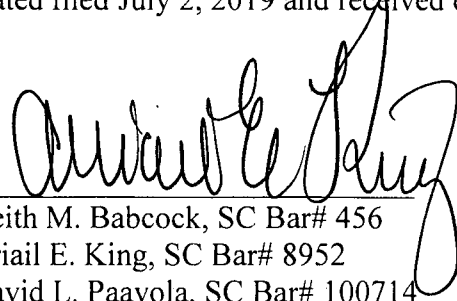
South Carolina Department of Commerce, Division of Public Railways appeals the order of the Honorable Alex Kinlaw, Jr., dated June 4, 2019 and filed on June 11, 2019 (attached

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<sup>1</sup> The parties listed as other condemnees have made no appearance in this action either through counsel or *pro se*.

**RECEIVED**  
JUL 11 2019  
SC Court of Appeals

hereto). Appellant received notice of entry of the order on June 17, 2019. Appellant also appeals the order of the Honorable Alex Kinlaw, Jr., dated filed July 2, 2019 and received on July 2019 (attached hereto)



Keith M. Babcock, SC Bar# 456  
Ariail E. King, SC Bar# 8952  
David L. Paavola, SC Bar# 100714  
LEWIS BABCOCK L.L.P.  
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Columbia, South Carolina 29211  
(803)771-8000

Attorneys for Appellant South Carolina  
Department of Commerce, Division of  
Public Railways

July 11, 2019

Other counsel of record:

G. Trenholm Walker, Esquire  
Walker Gressette Freeman & Linton, LLC  
Post Office Box 22167  
Charleston, South Carolina 29413

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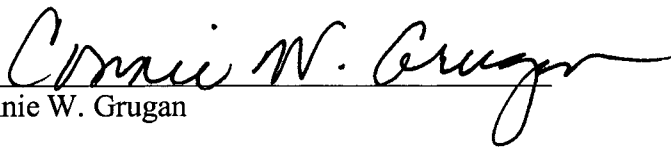
PROOF OF SERVICE

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I, Connie W. Grugan, legal assistant to the law firm of Lewis Babcock L.L.P., hereby certify that I have served the Amended Notice of Appeal upon opposing counsel by mailing a copy of same, postage prepaid and return address clearly indicated, to said counsel addressed as follows:

**RECEIVED**  
JUL 11 2019  
SC Court of Appeals

G. Trenholm Walker, Esquire  
Walker Gressette Freeman & Linton, LLC  
Post Office Box 22167  
Charleston, South Carolina 29413

  
\_\_\_\_\_  
Connie W. Grugan

This 11<sup>th</sup> day of July, 2019.



LAW OFFICES OF  
**LEWIS  
BABCOCK**  
L.L.P.

**ARIAIL E. KING**  
ATTORNEY AT LAW

Post Office Box 11208  
Columbia, South Carolina 29211  
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AEK@lewisbabcock.com

July 11, 2019

**RECEIVED**  
JUL 11 2019  
SC Court of Appeals

HAND DELIVERED  
Honorable Jenny Abbott Kitchings  
Clerk, South Carolina Court of Appeals  
1220 Senate Street  
Columbia, South Carolina 29201

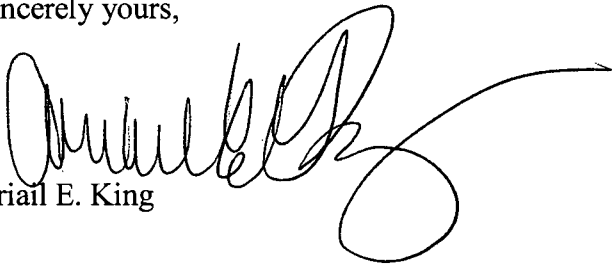
Re: South Carolina Department of Commerce, Division of Public Railways v.  
Gateway Properties of Greater Charleston, LLC, et al.  
Civil Action No. 2017-CP-10-5382

Dear Ms. Kitchings:

Yesterday we filed a Notice of Appeal in this matter. Today, we received an additional order from Judge Kinlaw in the same case, which we also want to appeal. I have enclosed the original and one copy of an Amended Notice of Appeal, but if we need to file a separate appeal and then move to consolidate, I will be happy to do so.

By copy of this letter, we are hereby serving a copy of same upon opposing counsel and filing a copy with the Charleston County Clerk of Court.

Sincerely yours,

  
Ariail E. King

AEK:cg

Enclosure

cc: G. Trenholm Walter, Esquire  
Honorable Julie J. Armstrong