

91124

THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

APPEAL FROM THE COURT OF COMMON PLEAS
FOURTEENTH JUDICIAL CIRCUIT
THE HONORABLE MARVIN H. DUKES III

CIVIL ACTION NUMBER: 2016-CP-07-02712

Beachwalk Hotel & Condominium Association, Inc.
and Beachwalk Hilton Head, LLC

Appellants,

vs.

The Town of Hilton Head Island and/or The Town
of Hilton Head Island Board of Zoning Appeals and
SDC Properties, Inc.,

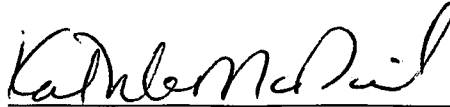
Respondents.

NOTICE OF APPEAL

Beachwalk Hotel & Condominium Association, Inc. and Beachwalk Hilton Head, LLC ("Appellants") hereby respectfully submit their Notice of Appeal of the Order of the Honorable Marvin H. Dukes III, dated September 11, 2019, pursuant to Rule 203, SCACR. Appellants received notice of the Order on September 11, 2019. A copy of the Order being appealed is attached as **Exhibit 1**.

Signature on following page

RECEIVED
OCT 11 2019
SC Court of Appeals



Kathleen McDaniel, Esq.
Burnette Shutt & McDaniel, PA
912 Lady Street, Second Floor
PO Box 1929
Columbia, South Carolina 29202
T: 803.904.7913
F: 803.904.7910
KMcDaniel@BurnetteShutt.Law

**ATTORNEY FOR APPELLANTS BEACHWALK
HOTEL & CONDOMINIUM ASSOCIATION, INC.
AND BEACHWALK HILTON HEAD, LLC**

Columbia, South Carolina

October 11, 2019

THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

APPEAL FROM THE COURT OF COMMON PLEAS
FOURTEENTH JUDICIAL CIRCUIT
THE HONORABLE MARVIN H. DUKES III

CIVIL ACTION NUMBER: 2016-CP-07-02712

Beachwalk Hotel & Condominium Association, Inc.
and Beachwalk Hilton Head, LLC

Appellants,

vs.

The Town of Hilton Head Island and/or The Town
of Hilton Head Island Board of Zoning Appeals and
SDC Properties, Inc.,

Respondents.

PROOF OF SERVICE

I hereby certify that this law firm represents the Appellants in the above-captioned matter and that on the date below, in Columbia, South Carolina, I served a copy of the forgoing on the following persons by depositing the same in the United States Mail, postage paid, and addressed as follows:

Documents Served: APPELLANT BEACHWALK HOTEL & CONDOMINIUM
ASSOCIATION, INC. AND BEACHWALK HILTON HEAD, LLC'S
NOTICE OF APPEAL

Parties Served:

Brian Earl Hulbert, Esq.
Hulbert Law Office
26 Fish Dance Ct.
Bluffton, SC 29910

and

RECEIVED

OCT 11 2019

SC Court of Appeals

Gregory Milam Alford
Alford Law Firm, LLC
P.O. Box 8008
Hilton Head Island, SC 29938

**ATTORNEYS FOR TOWN OF HILTON HEAD ISLAND AND/OR
TOWN OF HILTON HEAD ISLAND BOARD OF
ZONING APPEALS**

Barry L. Johnson, Esq.
The Victoria Building, Suite 200
10 Pinckney Colony Road
Okatie, SC 29909

ATTORNEY FOR SDC PROPERTIES, INC.


Amy Abercrombie, Paralegal
Burnette Shutt & McDaniel, PA

Columbia, South Carolina

October 11th, 2019



BURNETTE SHUTT MCDANIEL

Moving law forward.

Amy L. Abercrombie - Paralegal

P: 803.904.7916

F: 803.904.7910

aabercrombie@burnetteshutt.law

BURNETTE SHUTT & MCDANIEL, PA

912 Lady Street | PO Box 1929 | Columbia, SC 29202

O: 803.850.0912 F: 803.904.7910

burnetteshutt.law

October 11, 2019

VIA HAND-DELIVERY

The Honorable Jenny Abbott Kitchings
Clerk of Court
SOUTH CAROLINA COURT OF APPEALS
1220 Senate Street
Columbia, SC 29201

**Re: Beachwalk Hotel & Condominium Association, Inc. and Beachwalk Hilton Head, LLC v. The Town of Hilton Head Island and/or The Town of Hilton Head Island Board of Zoning Appeals and SDC Properties, Inc.
Civil Action No. 2016-CP-07-02712
BSM File No. 5387.562**

Dear Ms. Kitchings:

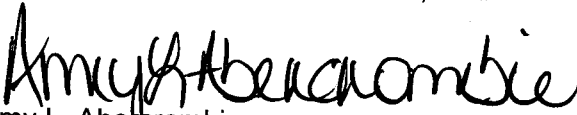
I have enclosed herewith for filing the original and (1) copy of a Notice of Appeal with respect to the above-referenced matter, together with a check for the filing fee. Please return the "filed-stamped" copy to the courier.

By copy of this letter, copies of the same are being served upon opposing counsel.

Thank you for your assistance with this matter.

Sincerely yours,

BURNETTE SHUTT & McDANIEL, P.A.


Amy L. Abercrombie
Litigation Paralegal

ALA/

Enclosures

cc: Brian Earl Hulbert, Esq. (w/enclosure – via US Mail)
Gregory Milam Alford, Esq. (w/enclosure – via US Mail)
Barry L. Johnson, Esq. (w/enclosure – via US Mail)
Kathleen McDaniel, Esq. (w/out enclosure)

RECEIVED
OCT 11 2019
SC Court of Appeals