

LAW OFFICES OF
JOHN M. LEITER, PA
ATTORNEY AND COUNSELOR AT LAW

405 79TH AVENUE NORTH, SUITE B
MYRTLE BEACH, SC 29572

TELEPHONE (843) 449-1451
FACSIMILE (843) 449-4884
E-MAIL jleiter@48th.com

October 5, 2020

Honorable V. Claire Allen
Chief Deputy Clerk of the Court
South Carolina Court of Appeals
Post Office Box 116929
Columbia, South Carolina 29211

Filed Electronically Only

Re: TCJ Sunrise, et al. v. MB Pizza, LLC, et al.
Appeal from Horry County
Appeal No. 2020-001258

RECEIVED
Oct 05 2020
SC Court of Appeals

Dear Ms. Allen:

Thank you for your letter dated October 1, 2020 and received via email on October 2, 2020 regarding the transcript in the above matter.

As the Orders entered by the Honorable Benjamin H. Culbertson in the lower court were decided without a hearing, there was no transcript to be ordered or delivered. By way of history, there was a hearing on the Plaintiff's (Respondent) Motion for Summary Judgment on December 3, 2019 before The Honorable Larry B. Hyman, Jr. in Horry County. Judge Hyman retired from the bench before issuing a decision. For this reason, Judge Culbertson reviewed the briefs on the record, and issued a Form 4 Order granting the Motion. Defendant (Appellant) timely filed a Motion to Reconsider, which was also decided without a hearing.

For these reasons, there is no transcript to be ordered.

Thank you for your assistance in this regard.

Sincerely yours,

LAW OFFICES OF JOHN M. LEITER, PA


John M. Leiter

JML/smp
cc: Amanda Bailey, Esq. (Via Email)

STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM HORRY COUNTY
Court of Common Pleas

Benjamin H. Culbertson, Circuit Court Judge

Appellate Case No. 2020-001258

RECEIVED

Oct 05 2020

SC Court of Appeals

TCJ Surfside, LLC and CDP Surfside, LLC Respondents

v.

MB Pizza, LLC, d/b/a Hungry Howie's Pizza
and Brian Edelen Appellants

PROOF OF SERVICE

I certify that I have served a copy of Attorney John M. Leiter's letter to the Honorable V. Claire Allen, Chief Deputy Clerk of Court, South Carolina Court of Appeals, dated October 5, 2020, to Amanda A. Bailey, Esq., Burr & Forman, LLP, via e-mail using her AIS e-mail address, pursuant to Supreme Court Order 2020-05-29-02, this 5th day of October, 2020.



Suzy Pettipas, Paralegal to John M. Leiter, Esq.
Law Offices of John M. Leiter, PA
405 79th Ave., North, Suite B
Myrtle Beach, SC 29572
(843) 449-1451
Attorney for Appellant

October 5, 2020