

**RECEIVED**

**Jul 06 2021**

**SC Court of Appeals**

IN THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

---

APPEAL FROM HAMPTON COUNTY  
Court of Common Pleas  
Honorable Kristi F. Curtis Presiding

---

Appellate Case No. 2017-CP-25-00170

---

The Station, Inc., dba Company Two, Inc.,.....Appellant

v.

Hampton County, .....Respondent

---

MOTION TO DISMISS APPEAL, OR, IN THE ALTERNATIVE, TO STAY APPEAL

---

YOU WILL PLEASE TAKE NOTICE, RESPONDENT, by and through its undersigned attorneys, hereby move this Court to dismiss this appeal, without prejudice, as a premature appeal of an interlocutory order, or, in the alternative, to stay these appellate proceedings, until this action is adjudicated with finality in the Court of Common Pleas for Hampton County. This motion is made on the grounds the appeal is from a verbal order issued during trial, directing a verdict for Respondent on two (breach of contract and specific performance) of Appellant's three causes of action. Respondent's motion for directed verdict on the third, equitable, cause of action (promissory estoppel), remains under consideration before the Circuit Court in this action which began trial before a jury and ended as a

nonjury trial pursuant to SCRPC 38 and 39 once the trial court directed a verdict for the defense in the two causes of action which carried a right of trial by jury.

While mindful that Appellant simply wished to preserve, and not waive, his right to appeal, Respondent asserts the appeal is a premature and improper appeal of an interlocutory order, and that the appeal should be dismissed. In the alternative, Respondent asserts that considerations of judicial economy weigh against conducting two appellate proceedings in this case, and that this appeal should be stayed until the trial court has adjudicated Appellant's claims with finality at the trial level.

July 6, 2021

Respectfully submitted,

By: s/Norma A. T. Jett  
Richard B. Ness, #4191  
Norma A. T. Jett, #12995  
Alison Dennis Hood, #77128  
R. Aaron Ness, #102331  
NESS & JETT, LLC  
P.O. Box 909  
Bamberg, South Carolina 29003  
Telephone (803) 245-5178  
Fax (803) 245-5384  
normajett@gmail.com  
ATTORNEYS FOR RESPONDENT

**RECEIVED**

**Jul 06 2021**

**SC Court of Appeals**

IN THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

---

APPEAL FROM HAMPTON COUNTY  
Court of Common Pleas  
Honorable Kristi F. Curtis Presiding

---

Appellate Case No. 2017-CP-25-00170

---

The Station, Inc., dba Company Two, Inc.,.....Appellant

v.

Hampton County, .....Respondent

---

CERTIFICATE OF SERVICE

---

The undersigned certifies that a copy of the foregoing Motion to Dismiss Appeal, or, in the Alternative, to Stay Appeal, has been served upon counsel of record for Appellant using their primary email addresses listed in the Attorney Information System as shown below, on July 6, 2021:

kbarnes@barneslawfirmssc.com  
chris@wilsonlawgroupsc.com  
richardbness@gmail.com  
raaronness@gmail.com  
alisonhood@gmail.com

July 6, 2021

By: Respectfully submitted,  
s/Norma A. T. Jett  
NESS & JETT, LLC  
P.O. Box 909  
Bamberg, South Carolina 29003  
Telephone (803) 245-5178  
Fax (803) 245-5384  
normajett@gmail.com  
ATTORNEY FOR RESPONDENT