

No. _____

**IN THE
SUPREME COURT OF THE UNITED STATES**

J. Doe,

Petitioner,

v.

Design Review Board (DRB)
of the
Town of Sullivans Island (TOSI),
Alka Construction Co.,
Svetlana Bilic Damjanovic,
Individually and d/b/a Alka
Construction Co., Branko
Damjanovic, Individually and
d/b/a Alka Construction Co.,
Kenneth Craft, III, Individually and
d/b/a Craft Design Co.,

Respondents.

APPENDIX

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- Appendix A Decision of the state court of appeals.
- Appendix B State court of last resort denial of review.
- Appendix C State court of last resort correspondence refusing timely petition for rehearing.
- Appendix D Petitioner's correspondence.

The South Carolina Court of Appeals

J. Doe, Appellant,

v.

Design Review Board (DRB) of the Town of Sullivans Island (S.I.), Svjetlana Bilic Damjanovic, Individually and d/b/a Alka Construction Co., Branko Damjanovic, Individually and d/b/a Alka Construction Co., Kenneth Craft, III, Individually and d/b/a Craft Design Co., and Alka Construction Co., Respondents.

Appellate Case No. 2019-001671

ORDER

First, Appellant's motion for a panel to reconsider the single-judge order denying her motion to exceed the page limit is denied. *See Rule 240(i), SCACR ("The court will not entertain petitions for rehearing on a motion or petition unless the action of the court on the motion or petition has the effect of dismissing or finally deciding a party's appeal.").*

Second, Respondents have filed a motion to dismiss this appeal based on mootness. Here, Appellant has appealed an order of the circuit court denying her motion for a preliminary injunction in 2019. The underlying issue involved a final decision of the Design Review Board approving plans for construction of a house. Appellant had sought the preliminary injunction to halt the construction of the approved house. Respondents have now informed this court that the building permit for construction of the house was issued in 2019, and a certificate of occupancy for the house was issued in 2020. The house has been fully built and occupied for two years. Because any judgment by this court will have no practical legal effect, Respondents' motion to dismiss is granted. *See Curtis v. State, 345 S.C. 557, 549 S.E.2d 591 (2001), cert. denied, 535 U.S. 926, 122 S.Ct. 1295, 152 L.Ed.2d 208 (2002) (case becomes moot when judgment, if rendered, will have no practical legal effect upon existing controversy); Waters v. South Carolina Land*

APP A

Resources Conservation Comm'n, 321 S.C. 219, 467 S.E.2d 913 (1996) (justiciable controversy is real and substantial controversy appropriate for judicial determination, as opposed to dispute or difference of contingent, hypothetical or abstract character). The remittitur will be sent as required by Rule 221(b), SCACR.

H. B. We
FOR THE COURT

Columbia, South Carolina

FILED
Mar 31 2022

cc:

Cynthia Holmes
Benjamin Alexander Crute Traywick, Esquire
Alexandra Scott Williams, Esquire
John Phillips Linton, Jr., Esquire
George Trenholm Walker, Esquire

The Supreme Court of South Carolina

J. Doe, Petitioner,

V.

Design Review Board (DRB) of the Town of Sullivan's Island (S.I.), Svjetlana Bilic Damjanovic, Individually and d/b/a Alka Construction Co., Branko Damjanovic, Individually and d/b/a Alka Construction Co., Kenneth Craft, III, Individually and d/b/a Craft Design Co., and Alka Construction Co., Respondents.

Appellate Case No. 2022-001123

ORDER

Petitioner has filed a petition for a writ of certiorari to review the court of appeals' dismissal of her appeal on the ground the matter is moot. Petitioner has also filed a "motion for remand with abeyance."

We deny the petition for a writ of certiorari and the motion to remand with abeyance.

~~W.B. Bentley~~ C.J.
~~John R. B. Bentley~~ J.
~~Jay L. Stevens~~ J.
~~John Cameron Jr.~~ J.
~~Becht~~ J.

APP B

Columbia, South Carolina

September 14, 2022

cc:

Benjamin Alexander Crute Traywick, Esquire

Alexandra Scott Williams, Esquire

John Phillips Linton, Jr., Esquire

George Trenholm Walker, Esquire

Cynthia Holmes

Kenneth Craft, III, Individually and d/b/a Craft Design Co., and Alka Construction Co.

The Honorable Jenny Abbott Kitchings