

STATE OF SOUTH CAROLINA

HORRY COUNTY

State of South Carolina on the relation of
Jimmy A. Richardson, II, Solicitor of the
Fifteenth Judicial Circuit,

PETITIONER,

vs.

Richard R. Bushey d/b/a BAO Enterprises,
LLC and Horry Therapeutic Spa,

RESPONDENT.

IN THE COURT OF COMMON PLEAS
THE FIFTEENTH JUDICIAL CIRCUIT
CASE NO.: 2020-CP-26-

SUMMONS

TO THE ABOVE-NAMED RESPONDENTS:

YOU ARE HEREBY SUMMONED and required to answer the Petition in this action, a copy of which is herewith served upon you, and to serve a copy of your Answer to said Petition on the subscribers at their offices at Post Office Box 530, Conway, South Carolina 29528-0530, within thirty (30) days after the service hereof, exclusive of the day of such service; and if you fail to answer the Petition, or to otherwise responsively plead to the Petition, or to otherwise appear and defend, within the time aforesaid, the Petitioner in this action will apply to the Court for judgment by default against you, for the relief demanded in the Petition.

s/James R. Battle
SC Bar #73604
Special Prosecutor for the 15th Judicial Circuit
Battle Law Firm, LLC
P.O. Box 530
Conway, South Carolina 29528
P: 843-248-4321
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Conway, South Carolina
January 28, 2020

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HORRY COUNTY

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VERIFIED PETITION

Petitioner respectfully alleges:

1. Petitioner is the duly elected Solicitor of the Fifteenth Judicial Circuit of the State of South Carolina.
2. Petitioner brings this action in the name of the State of South Carolina, pursuant to the provisions of the Code of Laws of South Carolina Annotated §§ 15-43-10 to 130.
3. This action is brought and prosecuted for the purpose of finding Respondent Richard R. Bushey guilty of establishing a public nuisance and permanently enjoining him from establishing a public nuisance in South Carolina.
4. Respondent Bushey leased property at 946 Lake Arrowhead Road, Myrtle Beach, South Carolina in Horry County and, through BAO Enterprises, LLC, established a massage parlor called Horry Therapeutic Spa at that location.
5. Upon information and belief, Horry Therapeutic Spa closed shortly after Petitioner served the real property owner, JINBA SC, LLC, with notice that Horry Therapeutic Spa was a nuisance.

6. Petitioner is informed and believes Horry Therapeutic Spa had the general reputation for lewdness, assignation, and prostitution, to wit:

Horry Therapeutic Spa was located in a strip mall at 946 Lake Arrowhead Road, Myrtle Beach, South Carolina. In September and December of 2019, an investigator on three occasions went to Horry Therapeutic Spa posing as a customer. On all three occasions, the employee/masseuse offered to perform sex acts to the investigator in exchange for money.

7. The above-mentioned acts and conduct which occurred on the premises were offensive to public decency, morals, peace, and health, and constituted a public nuisance under S.C. Code Ann. §§ 15-43-10 to 130.

Wherefore, Petitioner requests:

a. This court find Respondent Bushey established a nuisance through Horry Therapeutic Spa and is guilty of a nuisance under S.C. Code § 15-43-10.

b. This court perpetually enjoin Respondent Bushey and his agents, servants, subordinates, and employees from maintaining a public nuisance within the State of South Carolina. Any violation of this injunction will subject Respondent Bushey to contempt proceedings under S.C. Code Ann. § 15-43-70.

c. For such other relief as to this court may deem just and proper.

s/James R. Battle
Special Prosecutor for the 15th Judicial Circuit
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Conway, South Carolina
January 27, 2020