

THE STATE OF SOUTH CAROLINA

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In the Court of Appeals

SEP 06 2022

SC Court of Appeals

APPEAL FROM GEORGETOWN COUNTY

Court of Common Pleas

Steven H. John, Circuit Court Judge

APPELLATE CASE NO. 2022-000811

Ernest F. Middleton, III, and Joyce J. Middleton, Michael J. Farrar and Diana Farrar, Robert E. Hunt and Jeane M. Sullivan, The Colony Homeowners Association, Inc., and Keep It Green, Inc., Respondents,

v.

Georgetown County and Benjamin F. Goff, Sr., Trustee of the Benjamin F. Goff 2004 Revocable Trust, dated, June 18, 2004, Defendants,

Of whom Benjamin F. Goff, Sr., Trustee of the Benjamin F. Goff 2004 Revocable Trust, dated, June 18, 2004, is the Appellant.

APPELLANT'S DESIGNATION OF MATTER
TO BE INCLUDED IN THE RECORD ON APPEAL

Benjamin F. Goff, Sr., Trustee
18 Powers Farm Road
Randolph, MA 02368
(781) 986-0635
Pro Se for Appellant

The following matters should be included in whole and/or parts in the Record on Appeal:

PLEADINGS

Respondents (Plaintiffs) Ernest F. Middleton, III, and Joyce J. Middleton, Michael J. Farrar and Diana Farrar, Robert E. Hunt and Jeane M. Sullivan, The Colony Homeowners Association, Inc., and Keep It Green, Inc.- Summons and Complaint.

Appellant (Defendant) Benjamin F. Goff, Sr., Trustee of the Benjamin F. Goff 2004 Revocable Trust, dated June 18, 2004 - Answer, Defenses, Counterclaim and Complaint.

Georgetown County's (Defendants) Georgetown County, Georgetown County Council, Louis Morant, Lillie Jean Johnson, Raymond Newton, Steve Goggans, Everett Carolina, John Thomas and Bob Anderson, in their capacities as elected members of Georgetown County Council - Answer.

ORDER

Order Denying Motion to Dismiss of Defendant Goff Trust, dated June 3, 2022.

MOTIONS AND MEMORANDA

Motion to Dismiss (Appellant) Benjamin F. Goff, Trustee as a Defendant, dated January 25, 2022.

Memorandum of Law in Support of Motion to Dismiss (Appellant) Benjamin F. Goff, Trustee as a Defendant, dated January 25, 2022.

Appellant's Reply to Plaintiffs' (Respondents') Unfiled Response to Motion to Dismiss Benjamin F. Goff, Trustee as a Defendant, dated February 23, 2022 and filed February 28, 2022.

Plaintiffs' (Respondents') Memorandum of Law in Opposition to Motion to Dismiss Defendant Goff Trust, dated February 25, 2022

Appellant's Reply to Plaintiffs' (Respondents') Opposition to Motion to Dismiss Benjamin F. Goff, Trustee as a Defendant, dated March 14, 2022.

Defendants Georgetown County Council, Louis Morant, et al, in their Capacity as Elected Members of Georgetown County Council's Motion to Dismiss, dated April 11, 2022.

Georgetown County Council, Louis Morant et al, and Respondents Stipulation of Dismissal, dated April 28, 2022.

Georgetown County Council, Louis Morant et al, and Respondents Stipulation of Dismissal, dated May 5, 2022.

Georgetown County lawyer's Letter, dated May 4, 2022, to Judge Benjamin H. Culbertson.

HEARING TRANSCRIPT

Transcript of Record Before The Honorable Steven H. John, Judge, May 19, 2022.

OTHER MATTERS


1. Appellant's Proposed Zoning Amendment, dated June 2, 2021;
2. Planning Department Report to Georgetown County Planning Commission, dated July 15, 2021;
3. Agenda_2021_7_27_Meeting (215);
4. Agenda_2021_8_24_Meeting (216);
5. Agenda_2021_10_26_Meeting (220);
6. Agenda_2021_11_9_Meeting (221);
7. Agenda_2021_12_14_Meeting (222);
8. Appellant's Letter sent by Facsimile on June 3, 2022 to Judge Steven H. John;
9. Respondents' lawyer (KIG Advocacy) Email to Goff Trust, dated February 7, 2022;
10. Appellant's Letter to Judge Steven H. John, dated May 16, 2022;
11. Email from Judge Steven H. John's Law Clerk, dated May 25, 2022;
12. Respondents (Keep It Green) 1000 Plus Signatures Petition;
13. Respondents (Keep It Green) Letter to Benjamin F. Goff, Trustee, dated Feb 15, 2022;
14. Respondents (Keep It Green) Letter to County Council, dated July 14, 2021;
15. Respondents (Keep It Green) Letter to County Council, dated August 20, 2021;
16. Respondents (Keep It Green) Letter to County Council, dated October 26, 2021;
17. Appellant's Letter to Planning Department and Planning Commission, dated Jul 15, 2021;
18. Appellant's Letter to County Council, dated August 4, 2021;
19. Appellant's Letter to County Council, dated August 24, 2021; and
20. Appellant's Letter to County Council, dated October 26, 2021.

EXHIBITS

1. Court Docket;
2. Ordinance 21-24;
3. Ordinance 21-25;
4. Article VII – Georgetown County Rules of Procedure: Division 4;
5. Audio/video of October 26, 2021 County Council Meeting; and
6. Keep It Green, Inc. Website Postings.

Respectfully,

Dated: August 31, 2022


Benjamin F. Goff, Sr., Trustee
18 Powers Farm Road
Randolph, MA 02368
Pro Se for Appellant

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v.

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Of whom Benjamin F. Goff, Sr., Trustee of the Benjamin F. Goff 2004 Revocable Trust dated June 18, 2004 is the Appellant.

CERTIFICATE OF SERVICE

The undersigned hereby certifies that the Designation contains no matter which is irrelevant to the appeal and a true copy of the Designation of Matter in the above referenced case was served upon counsel of record by mailing a copy in an envelope properly addressed with postage prepaid on August 31, 2022 to the following:

Cynthia Ranck Person, Esq.
Keep It Green Advocacy, Inc.
P.O. Box 1922
Pawleys Island, SC 29585
Attorney for Respondents

H. Thomas Morgan, Jr., Esq.
Smith Robinson, Holler Dubose and Morgan, LLC
Post Office Drawer 39
Camden, SC 29020
Attorney for Georgetown County


Benjamin F. Goff, Sr., Trustee
18 Powers Farm Road
Randolph, MA 02368
Pro Se for Appellant

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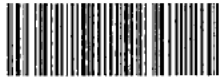


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FROM:

Benjamin F. Goff, Trustee
18 Powers Farm Road
Randolph, MA 02368

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SC Court of Appeals
The Honorable Jenny Abbot Kitchings
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