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SC Court of Appeals

THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

APPEAL FROM THE ADMINISTRATIVE LAW COURT

Robert L. Reibold, Administrative Law Judge

Appellate Case No. 2022-000983

Timothy B. Smith, ..... Appellant,

vs.

Charleston County Assessor, ..... Respondent.

**DESIGNATION OF MATTER TO BE INCLUDED  
IN THE RECORD ON APPEAL OF RESPONDENT**

Respondent proposes the following matter to be included in the Record on Appeal:

1. Notice of Appeal filed July 13, 2022;
2. Order Denying Motion to Reconsider filed June 30, 2022;
3. Petitioner’s Motion to Reconsider filed June 27, 2022;
4. Order Granting Summary Judgment in Favor of Respondent filed June 13, 2022;
5. Transcript of hearing before the Honorable Robert L. Riebold on May 26, 2022;
6. Stipulations of Fact filed May 26, 2022;
7. Respondent’s Response in Opposition to Petitioner’s Motion for Summary Judgment filed May 23, 2022;
8. Petitioner’s Motion for Summary Judgment filed May 13, 2022;
9. Opposition to Motion for Judgment on the Pleadings and/or for Summary Judgment filed May 11, 2022;

10. Respondent's Notice of Motion and Motion for Judgment on the Pleadings and/or for Summary Judgment filed April 21, 2022;
11. Respondent's Prehearing Statement filed February 24, 2022;
12. Petitioner's Prehearing Statement filed February 23, 2022;
13. Request for Contested Case Hearing Form dated January 20, 2022;
14. Charleston County Board of Assessment Appeals Decision dated December 17, 2021;

I certify that pursuant to Rule 209(c), SCACR, the Designation of Matter to be Included in the Record on Appeal does not contain any matter irrelevant to this appeal.

CHARLESTON COUNTY ATTORNEY'S OFFICE

/s/ Bernard E. Ferrara, Jr.

Bernard E. Ferrara, Jr., Esq. (S.C. Bar No. 9034)  
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Attorneys for Respondent

April 3, 2023  
Charleston, South Carolina

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**PROOF OF SERVICE**

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I certify that I served the Initial Brief of Respondent and Designation of Matter to be Included in the Record on Appeal of Respondent on counsel of record for Appellant by electronic mail on April 4, 2023, as follows:

G.P. Diminich, Esquire  
Felix C. Pelzer, Esquire  
Nicholas C. C. Stewart, Esquire  
SHUMAKER, LOOP & KENDRICK, LLP  
Email: GDiminich@Shumaker.com  
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CHARLESTON COUNTY ATTORNEY'S OFFICE

/s/ Bernard E. Ferrara, Jr.

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Attorneys for Respondent

April 4, 2023  
Charleston, South Carolina



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Via e-mail to: [ctappfilings@sccourts.org](mailto:ctappfilings@sccourts.org)

Honorable Jenny Abbott Kitchings  
South Carolina Court of Appeals Clerk  
Post Office Box 11629  
Columbia, SC 29211

Re: Timothy B. Smith vs. Charleston County Assessor  
Appellate Case No. 2022-000983

Dear Ms. Kitchings:

I hope this finds you well. I have enclosed for filing pursuant to Rule 208 and 209, SCACR, the original and one (1) copy of the Initial Brief of Respondent Charleston County Assessor and Designation of Matter to be Included in the Record on Appeal in the above-referenced appellate case. I would appreciate your acknowledging receipt of these documents by date-stamping the extra copies of the enclosed and returning them to me in the enclosed envelope.

By copy of this letter, I am serving counsel of record for Appellant with these documents and have enclosed the Proof of Service. Should you have any questions or need any additional information, please do not hesitate to contact me. With kind regards, I remain

Sincerely,

CHARLESTON COUNTY ATTORNEY'S OFFICE

*/s/ Bernard E. Ferrara, Jr.*

Bernard E. Ferrara, Jr.

BEFJR/at  
Enclosures  
cc: G.P. Diminich, Esquire  
Felix C. Pelzer, Esquire  
Nicholas C. C. Stewart, Esquire



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The Honorable Jenny Abbott Kitchings  
South Carolina Court of Appeals Clerk  
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