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SC Court of Appeals

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November 18, 2024

VIA EMAIL

The Honorable Jenny Kitchings
Clerk of Court
South Carolina Court of Appeals
1220 Senate Street
Columbia, South Carolina 29201
jkitchings@sccourts.org

Re: Order on Respondents' Motion to Strike In Re Letchworth Properties, LLC v. City of Greer, South Carolina, and Greer Board of Zoning Appeals, Appellate Case No. 2024-000727

Dear Ms. Kitchings:

Respondents filed a Motion to Strike certain matters from Appellant's Designation of Matter on the ground the matters were not raised to the Greer Board of Zoning Appeals and therefore not preserved for appeal. Appellant raised several arguments in opposition to Respondents' Motion, including exceptions to Rule 210(c), SCACR for lack of subject matter jurisdiction, adjudicative facts and adjudicative legislation.

In granting Respondents' Motion, in toto, the Court's Order only addressed adjudicative facts. Moreover, one of the items the Court ordered struck, the Public Purpose of the Greer Zoning Code, was raised to the Board at the Hearing and filed by Respondents' attorney in the circuit court as part of the record.¹ For clarification, is the Court requiring Appellant to strike a matter raised with specificity to the tribunal below?

I look forward to your response.

¹ Appellant's Return, p. 13, note 25.

Yours very truly,

s/J. Marshall Lawson

J. Marshall Lawson (SC Bar # 17020)

The Lawson Law Firm, LLC

Attorney for Appellant

cc: Daniel Hughes (via email)