

THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

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APPEAL FROM HORRY COUNTY  
Court of Common Pleas  
Honorable Larry B. Hyman, Circuit Court Judge

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Case No. 2012-CP-26-06987

Appellate Case No. 2013-000971

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**RECEIVED**

SEP 23 2013

**SC Court of Appeals**

Helicopter Solutions, Inc.  
d/b/a Helicopter Adventures ..... *Respondent,*

v.

Richard Hinde and Horry County Zoning Administrator, ..... *Defendants,*  
of whom Richard Hinde is ..... *Appellant.*

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**AFFIDAVIT OF KENNETH R. MOSS**

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**PERSONALLY APPEARED BEFORE ME**, Kenneth R. Moss, Esquire,  
who being duly sworn, does hereby state and affirm as follows, having actual  
knowledge of all matters set forth herein:

1. I am the attorney of record in this Appeal, appearing on behalf of the  
Appellant Richard Hinde. I am over 21 years of age and competent to make this  
Affidavit.

2. Those matters stated herein as being made upon information and belief are matters into which I have made inquiry and am satisfied that they are complete and truthful, based upon my inquiries.

3. Those other matters stated herein are matters of which I have personal knowledge.

4. The Record on Appeal in this matter transmitted from the Horry County Board of Zoning Appeals to the Circuit Court for Horry County consists of some one thousand one hundred twenty-seven (1,127) pages.

5. Two (2) separate hearings before the Circuit Court occurred in this matter. The transcript of the first hearing amounts to some forty-eight (48) pages, and the second transcript amounts to some additional fifteen (15) pages, for a total of sixty-three (63) pages combined.

6. The Initial Designation of Matter that accompanied the Reply Brief of the Respondent does not limit references to particular pages and lines in the two transcripts, and does not specify particular pages from the Record on Appeal in this matter transmitted from the Horry County Board of Zoning Appeals to the Circuit Court.

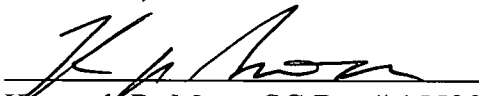
7. I believe in good faith that the inclusion of the complete Record on Appeal in this matter transmitted from the Horry County Board of Zoning Appeals to the Circuit Court and the complete two transcripts would violate the Rules of

Appellate Procedure by including matters that are not the subject of the appeal from the Circuit Court in this matter.

**FURTHER AFFIANT SAYETH NAUGHT.**

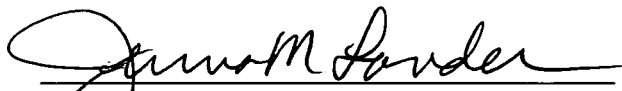
Respectfully submitted,

**WRIGHT, WORLEY, POPE, EKSTER  
& MOSS, PLLC**

  
Kenneth R. Moss, SC Bar # 15520  
628A Sea Mountain Highway  
North Myrtle Beach, SC 29582  
Tel: (843) 281-9901, ext. 103  
Email: [kennethmoss@wwpemplaw.com](mailto:kennethmoss@wwpemplaw.com)

North Myrtle Beach, South Carolina  
September 20, 2013

SWORN TO AND SUBSCRIBED  
before me this 20<sup>th</sup> day of September, 2013.

  
Notary Public for South Carolina  
My Commission Expires: 7/15/2020

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**SC Court of Appeals**

I certify that I have served copies of the *Appellant's Motion for a More Definite Statement by the Respondent of Matter Designated for Inclusion in the Record on Appeal; Affidavit of Kenneth R. Moss; and Appellant's Motion to Extend Time to File Appellant's Initial Reply Brief Pending the Court's Disposition of Appellant's Motion for a More Definite Statement by the Respondent of Matter Designated for Inclusion in the Record on Appeal* in the above-captioned appeal on the following individuals by United States Mail, with sufficient first-class postage affixed, addressed as follows:


David B. Miller, Esquire  
Benjamin A. Barody, Esquire  
Bellamy, Rutenberg, Copeland, Epps, Gravely & Bowers, P.A.  
P.O. Box 357  
Myrtle Beach, SC 29578  
Tel: 843/448-2400 Fax: 843/448-3022  
[bbarody@bellamylaw.com](mailto:bbarody@bellamylaw.com)  
*Attorney for Respondent Helicopter Solutions, Inc.*

– and –

Emma Ruth Brittain, Esquire  
Thomas & Brittain, P.A.  
P.O. Box 1290  
Myrtle Beach, SC 29578  
Tel: 843/692-2628 Fax: 843/692-0928  
[erbrittain@myrlaw.com](mailto:erbrittain@myrlaw.com)  
*Attorney for Defendant Horry County Zoning Administrator*

Respectfully submitted,

**WRIGHT, WORLEY, POPE, EKSTER  
& MOSS, PLLC**

  
Kenneth R. Moss, SC Bar # 15520  
628A Sea Mountain Highway  
North Myrtle Beach, SC 29582  
Tel: (843) 281-9901, ext. 103  
Email: [kennethmoss@wwpemplaw.com](mailto:kennethmoss@wwpemplaw.com)

North Myrtle Beach, South Carolina  
September 20, 2013