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SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM SPARTANBURG COUNTY
Court of Common Pleas

The Honorable J. Mark Hayes, II Circuit Court Judge

Appellant Case No. 2024-000735

Spartanburg County and Cole Alverson in his Official Capacity as County Administrator

v.

The Spartanburg County Board of Zoning Appeals, and Adam Washington Ballenger Camp #68, Sons of Confederate Veterans, Inc.

of which

The Spartanburg County Board of Zoning Appeals..... Respondent

v.

Adam Washington Ballenger Camp #68, Sons of Confederate Veterans, Inc.....Appellant

DESIGNATION OF MATTER TO BE INCLUDED IN THE RECORD ON APPEAL

Respondents propose the following be included in the Record on Appeal in addition to the matters previously designated:

1. Petition for Appeal to the Circuit Court from Decision of the Spartanburg County Board of Zoning Appeals filed in the Spartanburg County Court of Common Pleas on March 30, 2023 (including all exhibits).
2. Response to Petitioner’s Petition for Appeal filed in the Spartanburg County Court of Common Pleas on May 23, 2023 (including all exhibits).
3. Memorandum in Opposition to Respondents’ Motion to Alter or Amend filed in the Spartanburg County Court of Common Pleas on March 25, 2024.
4. Unified Land Management Ordinance for Spartanburg County, South Carolina.

As the circuit court orders being appealed from were filed on February 20, 2024, and April 25, 2024, respectively, Respondents would object to the Appellant's proposed inclusion in the Record on Appeal of the following: Affidavit of Hampton Chumley, September 9, 2024; Affidavit of James Crocker, September 16, 2024; and Affidavit of James Crocker, September 16, 2024 (enumerated as numbers 12-14 of the Appellant's Designation of Matter). None of those referenced Affidavits were considered by the circuit court prior to the issuance of the above-referenced orders being appealed from, and are therefore not properly before this Court pursuant to Rules 209 and 210, SCACR.

The undersigned certifies that this designation contains no matter which is irrelevant to this appeal.

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April 23, 2025