



FROM: MARIE BARDECO

To: V. Claire Allen  
Deputy Clerk

DATE: 12/11/2013

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TELEPHONE NUMBER: ( ) \_\_\_\_\_

DEC 11 2013

S.C. SUPREME COURT

FAX NUMBER: (803) 734-1499 Number of pages 4

MESSAGE: See Attached. Thanks you!

MARIE BARDECO

**\*\*Confidentiality Notice\*\***

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"WORKING TOGETHER, WE CAN MAKE A DIFFERENCE."

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**S.C. SUPREME COURT**

December 10, 2013

Ms. V. Claire Allen  
Deputy Clerk  
South Carolina Court of Appeals  
Post Office Box 11629  
Columbia SC 29211  
FAX (803) 734-1499

Re: The State of South Carolina vs. Mare Baracco  
C/A No.: 2013-CP-07-00918

Dear Ms. Allen:

Please see the attached. I overnighed my response to you yesterday; however, I neglected to enclose Ms. Lohr's letter as I indicated.

Thank you,



Mare Baracco  
1006 Madrid Avenue  
Port Royal SC 29935

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DEC 11 2013

**SC Court of Appeals**

**HOWELL, GIBSON AND HUGHES, P.A.**

**ATTORNEYS AT LAW**

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JAMES S. GIBSON, JR \*  
Of Counsel

\* Certified Mediator

December 9, 2013

Ms. V. Claire Allen  
Deputy Clerk  
South Carolina Court of Appeals  
Post Office Box 11629  
Columbia, SC 29211

Re: The State of South Carolina vs. Mare Baracco  
Civil Action No.: 2013-CP-07-00918  
Our File No: 11369 MBL

Dear Ms. Allen:

Please find enclosed a copy of my Notice of Appearance on behalf of Beaufort County. I wanted to bring to your attention two related issues which I believe require the Court's attention. Initially, I believe that this case has been erroneously captioned "The State vs. Mare Baracco". This designation is, to my mind, inappropriate in as much as this is not a criminal case and The State is not a party. In fact, this case is an appeal to the magistrate's court of an administrative determination pursuant to Beaufort County Code of Ordinances 14-35, which I have attached for your review along with the order of the circuit court from which this appeal arises. I believe the proper party in this matter would either be Beaufort County or Beaufort County Animal Control as opposed to "the State." Moreover, as you can see the issue before the court is the classification of an animal owned by the Appellant as a "dangerous animal" pursuant to Beaufort Code of Ordinances Section 14-35, and does not involve any criminal penalty or sanction. Therefore, I would respectfully request that the Court reconsider its designation of this appeal as a Criminal Appeal and correct the caption in this matter to accurately reflect the proper nature of the case and appropriate parties in interest. If you have any questions, please do not hesitate to contact me at your convenience.

COPIES

With kindest regards, I am

Yours truly,

HOWELL, GIBSON & HUGHES, P.A.

Mary Bass Lohr  
MBL/ad  
Enclosure

cc: Ms. Mare Baracco  
Josh Gruber  
Ms. Salley W. Elliott

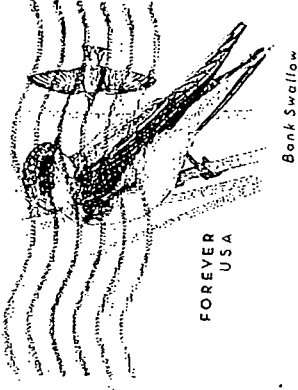
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