

STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM THE ADMINISTRATIVE LAW COURT

Honorable Samuel L. Johnson, Administrative Law Judge

ALC Docket No. 25-ALJ-07-0420-CC
Appellate Case No.: 2026-001550

RECEIVED

Aug 24 2026

SC Court of Appeals

Robert Litzenberger,

Appellant,

vs.

South Carolina Department of Environmental Services
and Branden Baker,

Respondents.

**NOTICE OF APPEARANCE FOR RESPONDENT
SOUTH CAROLINA DEPARTMENT OF ENVIRONMENTAL SERVICES**

The undersigned, Bennett W. Smith, Esq., hereby enters his appearance on behalf of Respondent, South Carolina Department of Environmental Services ("Department"), as co-counsel of record in the above case.

Appellate Case No. 2026-001550 currently includes Notices of Appeal for two South Carolina Administrative Law Court matters (ALC Docket Nos. 25-ALJ-07-0420-CC & 26-ALJ-07-0089-CC). Mr. Smith is appearing as co-counsel with Stephen P. Hightower in regard to ALC Docket No. 25-ALJ-07-0420-CC. Please serve all pleadings, correspondence, notices and related matters on the undersigned as an attorney for the Department, in addition to Stephen P. Hightower.

Respectfully submitted,

s/ Bennett. W. Smith

Bennett W. Smith, SC Bar # 102894

Assistant General Counsel

Stephen P. Hightower, SC Bar # 72265

Assistant General Counsel

South Carolina Department of

Environmental Services

2600 Bull Street

Columbia, South Carolina 29201

Counsel for Respondent SCDES

August 24, 2026

Columbia, South Carolina

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CERTIFICATE OF SERVICE

I, Sandra R. Wessinger, paralegal for the South Carolina Department of Environmental Services does hereby certify that on this 24th day of August, 2026, I have served the **Respondent South Carolina Department of Environmental Services' Notice of Appearance** by mailing a copy of same to all known parties of records, U. S. Mail, First Class to the following:

Mr. Robert Litzenberger 219 Talons Ridge Road Seneca, South Carolina 29672	Mr. Branden Baker Open Water Realty, LLC 7314 Trail Blvd Naples, Florida 34108
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Sandra R. Wessinger

August 24, 2026
Columbia, South Carolina