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SC Court of Appeals

THE STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

APPEAL FROM SUMTER COUNTY

Court of Common Pleas, Third Judicial Circuit

The Honorable R. Kirk Griffin, Acting Circuit Court Judge

Civil Action No. 2022-CP-43-01389

Appellate Case No. 2025-001006

Sumter County, Respondent,

v.

LA Express Logistics, LLC and Willie S. Spann, III, Defendants,

of which Willie S. Spann, III is the Appellant.

DESIGNATION OF MATTER TO BE INCLUDED IN THE RECORD ON APPEAL

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Pursuant to Rule 209, SCACR, Appellant Willie S. Spann, III designates the following matters for inclusion in the Record on Appeal, to the extent each item was filed, admitted, submitted to, or considered by the circuit court:

1. Sumter County's Complaint and any amended complaint in Civil Action No. 2022-CP-43-01389.

2. Defendants' Answer and defenses.

3. Sumter County's motion for temporary injunction and supporting memorandum, affidavits, photographs, zoning materials, and exhibits considered at the November 7, 2022 hearing.

4. The complete transcript of the November 7, 2022 motion hearing before the Honorable R. Ferrell Cothran, Jr., pages 1-19.

5. The circuit court's November 15, 2022 temporary-injunction order.

6. Sumter County's Motion for Summary Judgment and all memoranda, affidavits, exhibits, zoning tables, and other materials submitted in support of that motion.

7. Defendants' response or memorandum in opposition to summary judgment and all supporting materials.

8. The complete transcript of the March 24, 2025 motions hearing, Volume 1 of 1, pages 1-25, including the Rule to Show Cause proceedings and the summary-judgment argument at pages 11-24.

9. Plaintiff's exhibits identified at the March 24, 2025 hearing, including: Exhibit C (registered-agent document); Exhibit D (Mr. Spann's deposition); Exhibit E (document verifying LA Express address / USDOT-related address evidence); Exhibit I (SIC use table); and Exhibit L (NAICS/SIC use materials), together with the zoning ordinance provisions incorporated or relied upon by the parties.

10. The applicable portions of the Sumter County Zoning and Development Standards Ordinance governing the Agricultural Conservation District and the permitted, conditional, accessory, SIC, and NAICS use classifications relied upon by the parties and the circuit court.

11. The Affidavit of Willie S. Spann, III submitted in March 2025 concerning compliance with the November 15, 2022 order.

12. The Affidavit of Sergeant Timothy Adams, including the drone photographs or photographic exhibits referenced in the affidavit, to the extent those materials were before the circuit court and relied upon in the summary-judgment proceedings.

13. Any affidavits of Sumter County zoning officials, including Tony McClellan or other zoning personnel, relied upon in support of summary judgment.

14. The circuit court's April 21, 2025 Order granting Sumter County's Motion for Summary Judgment and granting declaratory and permanent injunctive relief.

15. Appellant's Notice of Appeal filed/served in May 2025, together with proof of filing and service to the extent properly includable in the Record on Appeal.

16. Any Rule 59(e), SCRCP motion, response, or order concerning the April 21, 2025 Order, if one was filed.

17. Any other pleading, order, exhibit, or transcript portion specifically cited in the Initial Brief of Appellant and properly includable under Rule 210(c), SCACR.

CERTIFICATION

By signing this Designation, Appellant certifies pursuant to Rule 209(c), SCACR, that the Designation contains no matter that Appellant believes is irrelevant to the appeal.

Respectfully submitted,

Willie S. Spann, III

Appellant, Pro Se

5160 Highway 15 North

Sumter, South Carolina 29153

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CERTIFICATE OF SERVICE

I certify that on September 3, 2026, I served a true and correct copy of the foregoing Designation Of Matter To Be Included In The Record On Appeal upon counsel for Respondent by depositing the same in the United States Mail, first-class postage prepaid, addressed to:

George Murrell Smith, Jr., Esquire

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Willie S. Spann, III

Appellant, Pro Se