RECEIVED

Nov 02 2026

S.C. SUPREME COURT

THE STATE OF SOUTH CAROLINA
In the Supreme Court

APPEAL FROM RICHLAND COUNTY
Court of Common Pleas

Thomas W. McGee III, Circuit Court Judge

Appellate Case No. 2026-002208
Civil Action No. 2025-CP-40-07466

Elizabeth Souder,

Appellant,

v.

The City of Columbia and the City of Columbia Board of Zoning Appeals,

Respondents.

APPELLANT'S DESIGNATION OF MATTER TO BE INCLUDED IN THE RECORD ON APPEAL

Pursuant to Rule 209, SCACR, Appellant Elizabeth Souder designates the following materials to be included in the Record on Appeal:

1. Appellant's Notice and Petition for Zoning Appeal and accompanying Exhibits A–M and Exhibit O, filed Nov. 3, 2025.

2. Respondent BZA's Motion to Strike and/or Dismiss for Lack of Subject Matter Jurisdiction, filed Nov. 19, 2025.

3. Appellant's Motion to Consolidate, filed Nov. 22, 2025.

4. Respondent BZA's Answer and accompanying exhibits, filed Nov. 25, 2025.

5. Appellant's Opposition to BZA's Motion to Strike and/or Dismiss for Lack of Subject Matter Jurisdiction, filed Dec. 10, 2025.

6. Respondent BZA's Opposition to Appellant's Consolidation Motion, filed Mar. 26, 2026.

7. Respondent BZA's Memorandum in Support of its Motion to Strike and/or Dismiss for Lack of Subject Matter Jurisdiction, filed Mar. 31, 2026.

8. Form 4 Order Denying Appellant's Motion to Consolidate and Denying BZA's Motion to Strike and/or Dismiss, filed Apr. 6, 2026.

9. Appellant's Opening Brief and accompanying exhibits, filed May 14, 2026.

10. Affidavit of Robert Fellner, filed May 14, 2026.

11. Respondent Columbia's Opposition Brief, filed July 10, 2026.

12. Respondent BZA's Opposition Brief, filed July 10, 2026.

13. Appellant's Reply to the BZA's Opposition Brief and accompanying exhibit, filed July 27, 2026.

14. Appellant's Reply to the City's Opposition Brief, filed July 27, 2026.

15. Form 4 Order and Statement of Judgment Affirming the Decision of the BZA, filed Aug. 12, 2026.

16. Full Order Affirming the Decision of the BZA, filed Sept. 4, 2026.

17. Appellant's Rule 59(e) Reconsideration Motion and accompanying exhibit, filed Sept. 11, 2026.

18. Form 4 Order Denying Appellant's Rule 59(e) Reconsideration Motion, filed Sept. 22, 2026.

The undersigned counsel certifies that this designation of materials to be included in the Record on Appeal does not include any materials that are irrelevant to this appeal.

November 2, 2026

By: s/ Geoffrey Chambers
Geoffrey K. Chambers
SC Bar No. 78415
The Hendricks Firm, LLC
PO Box 665
Easley, SC 29641
Office: 864-859-7160
Email: gchambers@thehendricksfirm.com

Renée Flaherty* (DC Bar No. 1011453)
Robert Fellner* (DC Bar No. 90027493)
INSTITUTE FOR JUSTICE
901 North Glebe Road, Suite 900
Arlington, VA 22203
Telephone: 703-682-9320
Fax: 703-682-9321
Email: rflaherty@ij.org; rfellner@ij.org
* Admitted pro hac vice

Counsel for Appellant