

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

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SC Court of Appeals

APPEAL FROM RICHLAND COUNTY
Court of Common Pleas

The Honorable G. Thomas Cooper, Jr., Circuit Court Judge

Circuit Court Case No. 2007-CP-40-02187

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Protection and Advocacy for the People with Disabilities, Inc.; M.J.B. on behalf of and as next friend of J.B.; C.B.B. on behalf of and as guardian of P.B.; G.C. and L.C. on behalf of and as guardians of F.C.; D.P. on behalf of and as guardian of C.M.D.; K.F. and S.F. on behalf of and as next friend of A.E.; J.H. on behalf of and as next friend of A.J.; G.M. on behalf of and as next friend of E.M.; N.M. on behalf of and as guardian of E.J.M.; R.P. on behalf of and as Guardian of S.P.; R.R. and J.R. on behalf of and as guardians of K.D.R.; and J.K. on behalf of and as guardian of S.S. are **APPELLANTS.**

v.

South Carolina Department of Disabilities and Special Needs; Dr. Beverly Buscemi, in her official capacity as Director of the South Carolina Department of Disabilities and Special Needs; and Nancy Banor, Deborah McPherson, Christine Sharp, Rick Huntress, Fred Lynn, Harvey Shiver and Kelly Hanson Floyd, as Commissioners of the South Carolina Department of Disabilities and Special Needs **RESPONDENTS**

NOTICE OF APPEAL

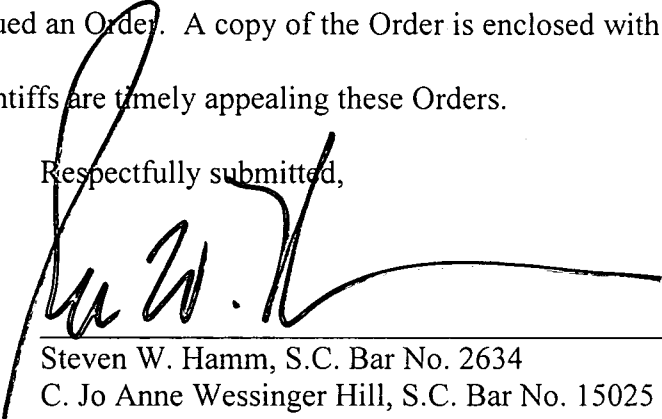
The Appellants, Protection and Advocacy for the People with Disabilities, Inc.; M.J.B. on behalf of and as next friend of J.B.; C.B.B. on behalf of and as guardian of P.B.; G.C. and L.C. on behalf of and as guardians of F.C.; D.P. on behalf of and as guardian of C.M.D.; K.F. and S.F. on behalf of and as next friend of A.E.; J.H. on behalf of and as next friend of A.J.; G.M. on behalf of and as next friend of E.M.; N.M. on

behalf of and as guardian of E.J.M.; R.P. on behalf of and as Guardian of S.P.; R.R. and J.R. on behalf of and as guardians of K.D.R.; and J.K. on behalf of and as guardian of S.S. ("Appellant" or "Appellants"), appeal the Order of the Honorable G. Thomas Cooper, Jr, dated September 24, 2013. Appellants received written notice of entry of the Order on October 7, 2013. A copy of the Order is enclosed with this notice. (See Exhibit A)

On October 17, 2013, the Appellants timely filed in the above-captioned case before Circuit Judge Cooper, Jr. a motion pursuant to Rule 59(e), SCRPC. On December 30, 2013, the Court issued an Order. A copy of the Order is enclosed with this Notice. (See Exhibit B) The Plaintiffs are timely appealing these Orders.

Respectfully submitted,

February 3, 2014



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C. Jo Anne Wessinger Hill, S.C. Bar No. 15025
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In The Court of Appeals

APPEAL FROM RICHLAND COUNTY
Court of Common Pleas

The Honorable G. Thomas Cooper, Jr., Circuit Court Judge

Circuit Court Case No. 2007-CP-40-02187

Protection and Advocacy for the People with Disabilities, Inc.; M.J.B. on behalf of and as next friend of J.B.; C.B.B. on behalf of and as guardian of P.B.; G.C. and L.C. on behalf of and as guardians of F.C.; D.P. on behalf of and as guardian of C.M.D.; K.F. and S.F. on behalf of and as next friend of A.E.; J.H. on behalf of and as next friend of A.J.; G.M. on behalf of and as next friend of E.M.; N.M. on behalf of and as guardian of E.J.M.; R.P. on behalf of and as Guardian of S.P.; R.R. and J.R. on behalf of and as guardians of K.D.R.; and J.K. on behalf of and as guardian of S.S. **APPELLANT.**

v.

South Carolina Department of Disabilities and Special Needs; Dr. Beverly Buscemi, in her official capacity as Director of the South Carolina Department of Disabilities and Special Needs; and Nancy Banor, Deborah McPherson, Christine Sharp, Rick Huntress, Fred Lynn, Harvey Shiver and Kelly Hanson Floyd, as Commissioners of the South Carolina Department of Disabilities and Special Needs **RESPONDENTS**

PROOF OF SERVICE

I CERTIFY THAT I HAE SERVED the Notice of Appeal on Respondents by depositing a copy of it in the United States Mail, postage prepaid, on February 3, 2014, addressed to their attorney of record, William H. Davison, II, Esq., Kenneth P. Woodington, Esq., Davidson, Morrison & Lindemann, PA, PO Box 8568, Columbia, SC 29202.


Kathy J. Templeton

February 3 2014

February 3, 2014

VIA HAND DELIVERY

The Hon. Jenny Abbott Kitchings
Clerk
South Carolina Court of Appeals
1015 Sumter Street
Columbia, SC 29211

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SC Court of Appeals

Re: Protection and Advocacy for the People with Disabilities, Inc.; M.J.B. on behalf of and as next friend of J.B.; C.B.B. on behalf of and as guardian of P.B.; G.C. and L.C. on behalf of and as guardians of F.C.; D.P. on behalf of and as guardian of C.M.D.; K.F. and S.F. on behalf of and as next friend of A.E.; J.H. on behalf of and as next friend of A.J.; G.M. on behalf of and as next friend of E.M.; N.M. on behalf of and as guardian of E.J.M.; R.P. on behalf of and as Guardian of S.P.; R.R. and J.R. on behalf of and as guardians of K.D.R.; and J.K. on behalf of and as guardian of S.S, **APPELLANTS** v. South Carolina Department of Disabilities and Special Needs; Dr. Beverly Buscemi, in her official capacity as Director of the South Carolina Department of Disabilities and Special Needs; and Nancy Banor, Deborah McPherson, Christine Sharp, Rick Huntress, Fred Lynn, Harvey Shiver and Kelly Hanson Floyd, as Commissioners of the South Carolina Department of Disabilities and Special Needs **RESPONDENTS**
Appeal from Richland County Court of Common Pleas
Case No. 2007-CP-40-02187

Dear Ms. Kitchings:

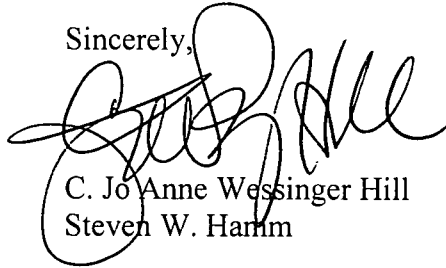
Please find enclosed the original and two copies of a Notice of Appeal in the above-referenced matter, together with Proof Certificate of Service and our check in the amount of \$100.00 in payment of the filing fee. Please return one clocked copy to the undersigned.

By a copy hereof we are serving the same on Kenneth P. Woodington, Esq., attorney for the Respondents.

If you should have any questions or concerns, please do not hesitate to contact this office.

With kindest regards, I am

Sincerely,

A handwritten signature in black ink, appearing to be "C. Jo Anne Wessinger Hill" and "Steven W. Hamm". The signature is written in a cursive style with large, overlapping loops.

C. Jo Anne Wessinger Hill
Steven W. Hamm

SWH/CJWH/kjt

Enclosures

cc: Kenneth P. Woodington, Esq. w/encs.