

THE STATE OF SOUTH CAROLINA

In The Court of Appeals

APPEAL FROM RICHLAND COUNTY

Court of Common Pleas

L. Casey Manning, Circuit Court Judge

Case No. 2012-CP-40-1560

70957

South Carolina Public Interest Foundation and Edward D. Sloan, Jr., individually, and on behalf of all others similarly situated, ..... Appellants,

v.

South Carolina Department of Transportation, and John V. Walsh, Deputy Secretary of Transportation for Engineering, ..... Respondents.

**PETITION TO AMEND  
NOTICE OF APPEAL  
AND CAPTION**

**RECEIVED**

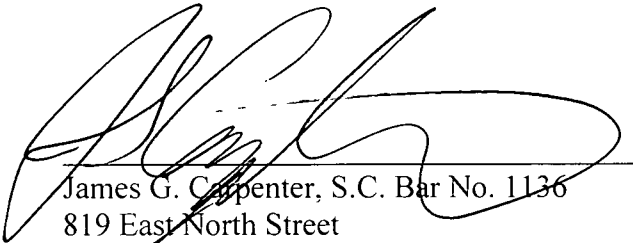
JAN 14 2014

**SC Court of Appeals**

Appellants petition the Court to amend the Notice of Appeal state, "The South Carolina Public Interest Foundation and Edward D. Sloan, Jr. appeal the orders of the Honorable L. Casey Manning, entered November 21, 2012. Appellants received written notice of the entry of the recent order November 30, 2012." This amendment corrects the clerical omission of the South Carolina Public Interest Foundation in the body of the Notice. (The Foundation had been included in the caption.) Respondents consent to this amendment.

Appellants also petition the Court to require that the caption in this Appeal cite both Respondents to match the caption in the Notice of Appeal. Appellants are informed that the Court likely erroneously designated only the SCDOT as Respondent, believing that Mr. Walsh who was named in his official capacity only, was represented by other counsel and that only the SCDOT's counsel, Mr. Brooker, was mentioned and therefore involved in the Appeal. Accordingly, Respondent's brief should add Mr. Walsh as a Respondent in the caption. Respondents have stated a preference for omitting Mr. Walsh from the caption because he is no longer employed by the SCDOT.

Respectfully submitted,

A large, stylized handwritten signature in black ink, appearing to read 'J. G. Carpenter', is written over a horizontal line.

James G. Carpenter, S.C. Bar No. 1136  
819 East North Street  
Greenville, SC 29601  
(864) 235-1269  
Attorney for Appellants

THE STATE OF SOUTH CAROLINA

In The Court of Appeals

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APPEAL FROM GREENVILLE COUNTY

Court of Common Pleas

L. Casey Manning, Circuit Court Judge

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Case No. 12-CP-40-1560

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South Carolina Public Interest Foundation and Edward D. Sloan, Jr., individually, and on behalf of all others similarly situated, ..... Appellants,

v.

South Carolina Department of Transportation, and John V. Walsh, Deputy Secretary of Transportation for Engineering, ..... Respondents.

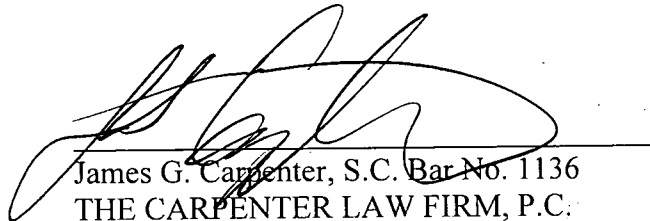
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**PROOF OF SERVICE**

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The undersigned attorney hereby certifies that he served a copy of the Petition to Amend the Notice of Appeal and Caption upon counsel for the Respondents by US Mail, postage prepaid this Friday, January 10, 2014, addressed as follows:

Beacham O. Brooker, Jr.  
Assistant Chief Counsel  
S.C. Department of Transportation  
P.O. Box 191  
Columbia, SC 29202-0191



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**SC Court of Appeals**



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\*LICENSED IN S.C. & N.C.

January 10, 2014

The Honorable Jenny Abbott Kitchings  
Clerk of SC Court of Appeals  
PO Box 11629  
Columbia, SC 29211

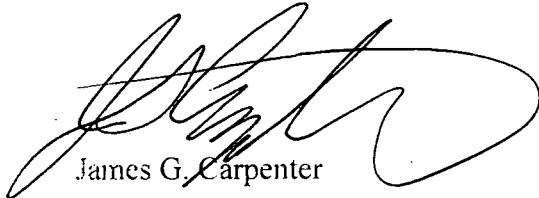
Re: *South Carolina Public Interest Foundation et al. v. South Carolina Department of  
Transportation, and John V. Walsh, Deputy Secretary of Transportation for Engineering*  
Civil Action No. 2012-CP-40-1560;  
Appellate Case No. 2012-213599

Dear Ms. Kitchings:

I enclose an original and six copies of a Petition to Amend Notice of Appeal and Caption, and a proof of service, with a filing fee.

If you need anything else, please telephone me.

Sincerely yours,  
THE CARPENTER LAW FIRM, PC



James G. Carpenter

**RECEIVED**

JAN 14 2014

**SC Court of Appeals**

Enclosures  
cc w/enclosure: Beecham O. Brooker, Jr.