

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

11699

APPEAL FROM THE ADMINISTRATIVE LAW COURT

RECEIVED

Shirley C. Robinson, Administrative Law Judge

MAR 26 2014

Docket No. 2009-ALJ-17-0533-CC

SC Court of Appeals

Charleston County Assessor, Appellant,

v.

LMP Properties, Inc., Respondent.

**APPELLANT'S MOTION
TO SUPPLEMENT THE RECORD**

Appellant Charleston County Assessor respectfully moves this Court to allow it to file an Appendix or Volume IV to the Record on Appeal that was submitted in a previous appeal to this Court concerning the same subject matter.

BACKGROUND

By way of background, the Charleston County Assessor filed a contested case hearing on December 11, 2009, before the Administrative Law Court (ALC) challenging the decision of the Charleston County Board of Assessment Appeals. The ALC held a contested case hearing on August 24 and 25, 2010, to determine the valuation of 121 condominium units owned by LMP Properties, Inc. The ALC filed its Final Order and Decision on October 11, 2011.

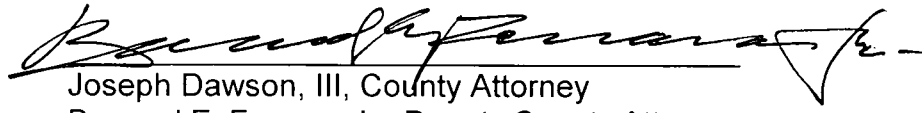
The County filed its Notice of Appeal on November 17, 2011, challenging the ALC's

Final Order and Decision. The Court of Appeals heard oral arguments on November 1, 2012, and issued its decision filed February 27, 2013.

The Court of Appeals remanded the matter so that the ALC may address the parties' arguments regarding valuation of the units. See Charleston Cnty. Assessor v. LMP Props., Inc., 403 S.C. 194, 743 S.E.2d 88 (Ct.App.2013). The Court of Appeals sent its Remittitur to the ALC and parties on March 15, 2013.

In accordance with the Court of Appeals' decision, the ALC held a hearing on July 30, 2013, and heard oral arguments of the parties. It filed its second Final Order and Decision on September 20, 2013. The County filed its Notice of Appeal on October 22, 2013, challenging the ALC's second Final Order and Decision. The County filed its Initial Brief and Designation of Matter to be Included in the Record on Appeal on February 28, 2014.

In the first appeal, the County filed its Record on Appeal which consisted of Volumes I (pp. 0001-0206), II (pp. 0207-0438), and III (pp. 0439-0666). Because this appeal (the second appeal) involves the same subject matter requiring citations to the Record on Appeal submitted in the first appeal and due to its size, Appellant moves this Court to allow it to file the same Record on Appeal in this appeal along with an Appendix or Volume IV beginning with page number 0667 consisting of the matters designated to be included in the record on appeal that was filed with this Court on February 28, 2014.



Joseph Dawson, III, County Attorney
Bernard E. Ferrara, Jr., Deputy County Attorney
CHARLESTON COUNTY ATTORNEY'S OFFICE
Lonnie Hamilton, III Public Services Building
4045 Bridge View Drive
North Charleston, South Carolina 29405
(843) 958-4010
Attorneys for Appellant

Charleston, South Carolina
March 24, 2014

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM THE ADMINISTRATIVE LAW COURT

Shirley C. Robinson, Administrative Law Judge

Docket No. 2009-ALJ-17-0533-CC

Charleston County Assessor, Appellant,

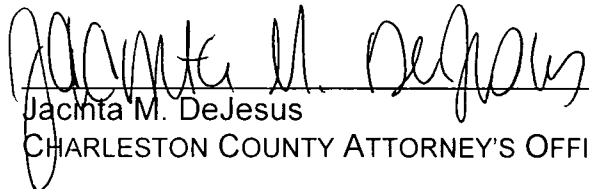
v.

LMP Properties, Inc., Respondent.

PROOF OF SERVICE

I certify that I have served **Appellants' Motion to Supplement the Record** on Respondent LMP Properties, Inc. by depositing a copy of the same in the United States Mail, postage prepaid, on March 24, 2014, addressed to its counsel of record as follows:

Stanley C. Rodgers, Esquire
LAW OFFICE OF STANLEY C. RODGERS, L.L.C.
101 Queen Street, Suite 200
Charleston, South Carolina 29401
Attorney for Respondent



Jacinta M. DeJesus
CHARLESTON COUNTY ATTORNEY'S OFFICE

RECEIVED

MAR 26 2014

SC Court of Appeals



CHARLESTON
COUNTY
SOUTH CAROLINA

CHARLESTON COUNTY ATTORNEY'S OFFICE

Lonnie Hamilton, III Public Services Building

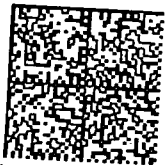
4045 Bridge View Drive, B 314

North Charleston, South Carolina 29405-7464

Return Service Requested

**RETURN SERVICE
REQUESTED**

FIRST CLASS



U.S. POSTAGE
PITNEY BOWES
ZIP 29405 \$000.36⁰
02 1W
0001383942 MAR 24 2014

3E PITNEY BOWES
\$001.88²
142 MAR 24 2014

RECEIVED

MAR 26 2014

SC Court of Appeals

Honorable Jenny Abbott Kitchings
THE SOUTH CAROLINA COURT OF APPEALS
Post Office Box 11629
Columbia, South Carolina 29211