

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

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APPEAL FROM FLORENCE COUNTY  
Court of Common Pleas

Stephen H. John, Circuit Judge

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Case Number: 2012-CP-21-2002

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*Amended* Joe Cooper, Sr. and Landscape Maintenance, LLC,.....Respondent,

vs.

South Carolina Department of Transportation.....Appellant.

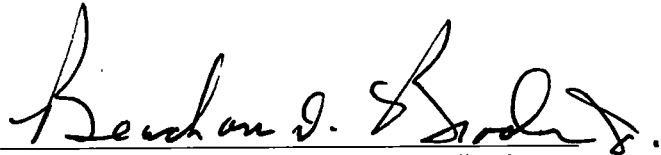
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NOTICE OF APPEAL

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The South Carolina Department of Transportation appeals the Order of the Honorable Stephen H. John dated April 28, 2014, denying Appellant's Motion Under Rule 59(a)(2) and (e). Appellant received the Order May 12, 2014.

May 12, 2014



Beacham O. Brooker, Jr., S.C. Bar #909  
South Carolina Department of Transportation  
Post Office Box 191  
Columbia, South Carolina 29202-0191  
(803) 737-1347  
[brookerbo@scdot.org](mailto:brookerbo@scdot.org)  
Attorney for Appellant

Other Counsel of Record:

E. Katherine Moore, Esquire  
Wukela Law Firm  
Post Office Box 13057  
Florence, South Carolina 29504  
Attorney for Respondent

**RECEIVED**

MAY 13 2014

**SC Court of Appeals**

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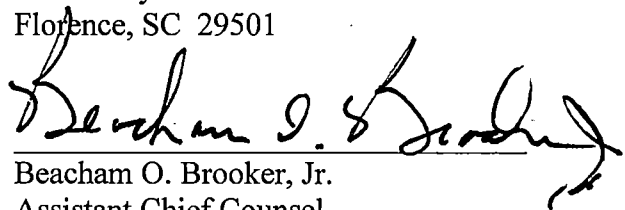
PROOF OF SERVICE

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I certify that I have served the Notice of Appeal of the Order denying Appellant's Motion Under Rule 59(a)(2) and (3) upon Joe Cooper, Sr. and Landscape Maintenance, LLC, by depositing a copy of same in the United States Mail, postage prepaid on May 12, 2014, addressed to their attorney of record, E. Katherine Moore, Esquire, and upon The Honorable Connie Reel-Shearin, Clerk of the Court of Common Pleas, Florence County, South Carolina, as follows:

E. Katherine Moore, Esquire  
Wukela Law Firm  
P O Box 13057  
Florence, SC 29504

The Honorable Connie Reel-Shearin  
Florence County Clerk of Court  
MSC-E Room 11  
180 N Irby Street  
Florence, SC 29501

  
Beacham O. Brooker, Jr.  
Assistant Chief Counsel

Attorney for Appellant

Columbia, SC  
May 12, 2014

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**SC Court of Appeals**



South Carolina  
Department of Transportation  
Office of Legal Services

Linda C. McDonald,  
Chief Counsel

Assistant Chief Counsel,  
Natalie J. Moore  
Barbara M. Wessinger  
Beacham O. Brooker, Jr.  
Amanda T. Taylor, Claims

Claims Office 737-1260

May 12, 2014

The Honorable Jenny Abbott Kitchings  
Clerk, South Carolina Court of Appeals  
Post Office Box 11629  
Columbia, South Carolina 29211

RE: Joe Cooper, Sr. and Landscape Maintenance, LLC vs. South Carolina Dept. of  
Transportation  
C/A No. 2012-CP-21-2002

Dear Ms. Kitchings:

Enclosed for filing is a notice of appeal in the above case. Please return a file marked  
copy to me using the envelope provided. Also enclosed are the following:

- (1) Proof of service of the notice of appeal on the respondent.
- (2) A copy of the Order which is to be challenged on appeal

It is our understanding that no filing fee is due because the Appellant is a state agency.

Sincerely,

Beacham O. Brooker, Jr.,  
Assistant Chief Counsel

cc: E. Katherine Moore, Esquire  
The Honorable Connie Reel-Shearin

**RECEIVED**

MAY 13 2014

**SC Court of Appeals**



LEGAL

**SOUTH CAROLINA  
DEPARTMENT OF TRANSPORTATION**

BOX 191  
COLUMBIA, SC 29202

RETURN POSTAGE GUARANTEED

**RECEIVED**

MAY 13 2014

**SC Court of Appeals**

IMS

THE HONORABLE JENNY ABBOTT KITCHINGS  
CLERK SOUTH CAROLINA COURT OF APPEALS  
P O BOX 11629  
COLUMBIA SC 29211