

THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

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APPEAL FROM HORRY COUNTY  
Court of Common Pleas

William H. Seals, Presiding Court Judge

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Trial Court Case No. 2013-CP-26-5009

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**RECEIVED**

JUN 10 2014

**SC Court of Appeals**

City of Myrtle Beach.....Respondent,

v.

KNS Foundation, LLC, d/b/a Elite.....Appellant.

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

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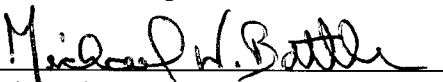
Respondent proposes the following materials be included in the Record on Appeal:

1. Notice of Suspension of Business Licenses.
2. City Exhibits Book (6 Tabs) - Elite Business License Revocation Hearing License # 26941, #26943, & #26942 hearing.
3. Transcript of hearing held before the City of Myrtle Beach Council Members on Tuesday, June 25, 2013 prepared by Sharon B. Brock of Prestige Court Reporting, Inc., 125 pages;
4. City's Exhibit s #'s 1,2,3 & 4 as identified in Transcript of hearing held before City Council
5. City Council Order Revoking Elite's Business Licenses dated July 9, 2013;
6. Appeal from the City of Myrtle Beach's Order Revoking Appellant's Three Business Licenses #26941, #26942, #26943 dated July 18, 2013 and filed July 19, 2013;
7. Respondent City of Myrtle Beach's response to Appellant's original Appeal to the circuit court dated July 26, 2013;
8. Amended Appeal from the City of Myrtle Beach's Order Revoking Petitioner's Three Business Licenses #26941, #26942, #26943 dated August 9, 2013 and filed August 9, 2013;

9. City's Response to KNS Foundation, LLC, d/b/a Elite's Amended Appeal from Order of City Council of Myrtle Beach dated September 13, 2013;
10. Transcript of Record of Hearing before Judge William Seals.
11. Form 4 Order signed by Judge William Seals dated September 18, 2013, and filed September 20, 2013;
12. Copy of Title Page of Transcript of Record of Hearing before Myrtle Beach City Council with docket stamp of the Office of the Clerk of Court for Horry County bearing a stamp date of September 18, 2013.
13. Order Denying Amended Appeal of KNS Foundation, LLC, d/b/a Elite, signed by Judge William Seals, Jr. dated September 23, 2013 and filed September 30, 2013;
14. Notice of Motion and Motion to Reconsider, Alter and Amend the Court's Order Affirming the Revocation of Appellant's Three Business Licenses Pursuant to Rules 52 and 59(e), SCRCPC dated October 11, 2013 and filed October 11, 2013;
15. Respondent City of Myrtle Beach's response to Appellant's Motion to Reconsider dated October 22, 2013 and filed on October 23, 2013;
16. Order Denying Motion to Reconsider Amended Appeal of KNS Foundation, LLC, d/b/a Elite, pursuant to Rules 52 and 59, SCRCPC, signed by Judge William Seals, Jr. filed on November 6, 2013;
17. Notice of Appeal to the Court of Appeals dated December 2, 2013;
18. Amended Notice of Appeal to the Court of Appeals received December 10, 2013;
19. Myrtle Beach, S.C., Business Licenses Code §§ 11-21 through 11-39, Article II (1992);
20. Myrtle Beach, S.C., Zoning Code §§ 301 and 502.3 (1992);
21. Myrtle Beach, S.C., Zoning Code §§ 204.1 through 204.130 (1992);
22. Myrtle Beach, S.C., Code §§ 1219.1 through 1219.10.3.2 (1992);
23. KNS Foundation, LLC, d/b/a Elite's three initial business licenses applications (dated March 25, 2013) for a drinking place under business license # 111 26942, for an eating place under business license # 111 26943, and for a pool hall/arcade under business license # 111 26941;
24. Business narrative entry written by Mary McDowell dated April 4, 2013;

### CERTIFICATION OF COUNSEL

Pursuant to Rule 209, SCAR, I certify that this designation contains no matter that is irrelevant to this appeal.

  
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June 9, 2014