

The South Carolina Court of Appeals

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

v.


City of Myrtle Beach, Respondent.

Appellate Case No. 2013-002793

ORDER

Appellant has filed a motion to vacate and remand, arguing Respondent failed to file "an original certified record of the proceedings before the City Council of Myrtle Beach to the [c]ircuit [c]ourt" as required by Rule 75, SCRPC. Respondent filed a motion to supplement the record on appeal, arguing Appellant omitted several items from the record on appeal, which Respondent included in its designation of matter. Respondent also requested an extension to serve and file its final brief.

After careful consideration, the motion to vacate and remand is denied, and the motion to supplement the record on appeal is granted. Within thirty days, Appellant shall file and serve a supplemental record on appeal, which includes the following: (1) City Exhibits Book (6 Tabs)-Elite Business License Revocation Hearing License #26941, #26943, and #26942 hearing; (2) Transcript of hearing held before the City of Myrtle Beach Council Members on Tuesday June 25, 2013; and (3) City's Exhibits 1, 2, 3, and 4 as identified in transcript of hearing held before the City Council. Within twenty days after the service of the amended record on appeal, the parties shall serve and file their final briefs.


FOR THE COURT

FILED
9/26/14

Columbia, South Carolina

cc:

Howell Vaught Bellamy, III, Esquire

Howell V. Bellamy, Jr., Esquire

Michael Warner Battle, Esquire

Thomas Eugene Ellenburg, Esquire

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