

THE STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

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APPEAL FROM RICHLAND COUNTY
COURT OF COMMON PLEAS

S.C. Supreme Court

THE HONORABLE JOHN HAMILTON SMITH, SPECIAL REFEREE

Case No. 2010-CP-40-8943R

Columbia Venture, LLC, Appellant,

v.

Richland County, Respondent.

**SOUTH CAROLINA ASSOCIATION OF COUNTIES
NOTICE OF MOTIOIN AND MOTION FOR LEAVE
TO FILE AN *AMICUS CURIAE* BRIEF**

Robert E. Lyon, Jr., General Counsel
John K. DeLoache, Staff Attorney
Alexander W. Smith, Staff Attorney
James F. Knox, Staff Attorney
South Carolina Association of Counties
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Attorneys for *Amicus Curiae*

Pursuant to Rule 213 of the South Carolina Appellate Court Rules, the South Carolina Association of Counties (Association) respectfully submits this Motion for Leave to File a Brief of *Amicus Curiae* on behalf of Richland County.

I. INTEREST OF *AMICUS CURIAE*

The Association is an instrumentality of the forty-six (46) counties of the State of South Carolina. Act No. 1383, 1968 Acts at 3193. The case before this Court will greatly impact each of South Carolina's forty-six (46) counties in matters pertaining to the vital need for counties to protect their citizen's health, safety, and welfare. The Association represents the collective interests of South Carolina Counties, so that they may speak with one voice. The Association's interest in this case is to provide this Court with the collective insights of the Counties of the State pertaining to the issues in this matter, and to more fully develop the arguments of the individual parties.

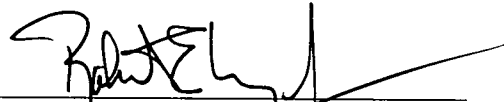
II. DESIRABILITY OF BRIEF OF *AMICUS CURIAE*

The protection of a county's citizens from the dangers of floods is a vital police power authorized pursuant to the South Carolina Home Rule Act and the South Carolina Comprehensive Local Government Planning Enabling Act. Thoughtful land use regulation of flood prone property, based on sound federal flood data, is an important power possessed by counties in South Carolina. The participation of the Association will provide the Supreme Court with the insight and thoughts of the Association and its members which will be directly impacted by this Court's decision. By allowing the Association to file an *Amicus Curiae* brief, this Court will preclude the need for numerous individual counties to request leave to file individual *Amicus Curiae* briefs.

WHEREFORE, Counsel for the South Carolina Association of Counties prays
this Court enter its Order permitting the Association leave to file its *Amicus Curiae* brief.

Respectfully submitted,

SOUTH CAROLINA
ASSOCIATION OF COUNTIES

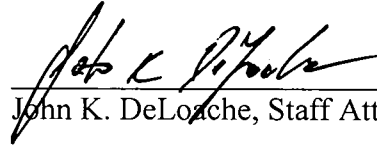
A handwritten signature in black ink, appearing to read "Robert E. Lyon Jr.", written over a horizontal line.

Robert E. Lyon Jr., General Counsel
John K. DeLoache, Staff Attorney
Alexander W. Smith, Staff Attorney
James F. Knox, Staff Attorney
Attorneys for Amicus Curiae

October 20, 2014

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the above Notice of Motion and Motion for Leave to File an Amicus Curiae Brief was mailed this 20th day of October, 2014 via United States Postal Service, First Class Postage Prepaid, to the following counsel of record:


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