

THE STATE OF SOUTH CAROLINA

In The Court of Appeals

APPEAL FROM RICHLAND COUNTY

**Court of Common Pleas
DeAndrea Gist Benjamin, Circuit Court Judge
Case No. 2013-CP-400-1643**

Appellate Case No. 2014-000583

Samuel T. Brick, Appellant

v.

**Richland County Planning Commission and Fairways
Development, LLC, Intervenor, Respondents**

**DESIGNATION OF MATTER TO BE
INCLUDED IN THE RECORD ON APPEAL**

Appellant proposes the following be included in the Record on Appeal:

1. Order of December 17, 2013, granting Motion of Intervenor Fairways Development LLC's Motion to Dismiss;
2. Order of December 17, 2013, granting Motion of Respondent Richland County Planning Commission's Motion to Dismiss;
3. Order of December 17, 2013, granting Motion of Intervenor Fairways Development LLC to Intervene in the Case;
- 3 A Form Order filed September 16, 2013, denying Appellant's Motion to Amend

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4. Form 4 Order dtd. February 5, 2014, denying Appellant's Motion for Reconsideration;
5. Order dated April 17, 2013 by Judge Alison Lee (2012-CP-40-7337).
6. Order dated October 16, 2013 by Judge Roger M. Young, Sr. (2012-CP-40-7337), Appellant's FOIA case.
7. Appellant's Notice of Appeal and Appeal to the Court of Common Pleas, Fifth Judicial District of the Richland County Planning Commission Denial of Appellant's Appeal Regarding Administration of Zoning p. 1, pp. 3-4, pp.9-10, pp. 18-19, App. A-1 (pp. 1-4), App. A-2 (p. 2-3, *DRT Meeting Notice*), App. A-4, App. B-1, App. B-3 (p. 1, pp. 16-19), and App. B-6 (*Order of Planning Commission*);
8. Notice of Motion and Motion to Dismiss on behalf of Respondent Richland County Planning Commission, dtd. May 31, 2013;
- 8A Return to Appeal on Behalf of Respondent Richland County Planning Commission, filed June 5, 2013
9. Appellant's Response to Richland County Planning Commission Motion to Dismiss Appeal, dtd. July 31, 2013;
10. Appellant's Affidavit and Response to Appellee's Motion to Dismiss Appeal, dtd. August 21, 2013;
11. Motion to Intervene by Fairways Development LLC, dtd. June 14, 2013, w/o Certificate of Service;
12. Appellant's Answer to Motion to Intervene, dtd. July 31, 2013;
13. Appellant's Affidavit in Response to Fairways Development LLC Motion to Intervene, with Appendices, dtd. August 21, 2013;
14. Appellant's Motion to Amend Notice of Appeal and Appeal of the Richland County Planning Commission Denial of Appellant's Appeal regarding Administration of Zoning and Notice of Defective File, dtd. June 27, 2013;
15. Fairways Development LLC's Motion to Dismiss Appeal with attachments, dtd. June 14, 2013;

16. Appellant's Response to Fairways Motion to Dismiss, dtd. July 31, 2013;
17. Appellant's Affidavit in Response to Fairways Development LLC Motion to Dismiss with Appendix 1, dtd. August 21, 2013;
18. Appellant's Notice and Motion for Reconsideration;
19. Transcript of Proceedings pp 10-16, 19, 28-29, 31-46, 49-51;
20. Richland County Planning Commission's Record on Appeal, w/o numbered submissions, dtd. May 31, 2013;
21. Richland County Planning Commission's Supplemental Record on Appeal, without numbered submissions, dtd. August 15, 2013;
22. Section 26-186 of the Richland County Code (App. C-10 of # 7, above);
23. Section 26-89 of the Richland County Code (App. C-6 of # 7, above);
- 23a Section 21(b)(9) of the Richland County Code
- 23b Section 22 of the Richland County Code, Definitions (Lot Adjacent)
24. Section 26-34 of the Richland County Code;
25. Section 26-54 of the Richland County Code;
26. Sketch/Concept Plans for The Villages at Longcreek, prepared for Longcreek Associates, LLC, dtd. Nov. 7, 2012, as stamped by Sustainable Design Consultants, Inc. and John D. Champoux, registered landscape architect and marked "submitted for approval" (Title Page and SP-01 through SP-03), such plans provided by Appellee as part of the official county record provided the Planning Commission for action on the appeal and referenced in Des. Matter #22, p. 3 and in other pleadings);
27. Electronic Communication by Law Clerk advising of Appeal; and
28. 5th Judicial Circuit Public Index of *Samuel T. Brick v. Richland County Planning Commission*, Case No. 2013CP4001643.

29. Affidavit of R. Steve McNair, Exhibit B1 to Intervenor/Respondent's Motion to Lift Automatic Stay and to Require Appellant to Post a Bond Pursuant to Rule 241 SCACR.
30. Excerpt of Tax records relating to portion of Villages Project, Exhibit F to Appellant's Return to Intervenor/Respondent's Motion to Lift Automatic Stay
31. Deed of 20.28 acres of portion of Villages Project, Exhibit E to Appellant's Return to Intervenor/Respondent's Motion to Lift Automatic Stay
32. Sustainable Design Consultants, Inc. internet display of projects, Exhibit D to Appellant's Return to Intervenor/Respondent's Motion to Lift Automatic Stay
33. Complaint, amended and supplemented filed by Samuel T. Brick (2012-CP-40-7337), Appellant's FOIA case.
34. Notice of Appeal to Court of Appeals, dated March 11, 2014

I certify that this designation, other than Intervenor/Respondent requested Designated Items 5,6,31 and pages 10,13,14, 16-17, 19, and 28-29 of the Transcript of Proceedings (Des. Matter # 19) and Respondent designated items 8A, 3A, and 34, contain no matter which is irrelevant to this appeal.



Samuel T. Brick, Appellant, Pro se
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October 17, 2014


Richland County, South Carolina

CERTIFICATE OF SERVICE

I, Samuel T. Brick, Appellant, Pro Se, hereby certify that this Designation of Matter to be Included in the Record on Appeal was served upon the parties to this action by my depositing a copy of same, enclosed in a First Class postpaid envelope addressed to the attorneys of record in a post office or official postal depository under the exclusive care and custody of the United States Postal Service, on October 17, 2014, addressed in the following manner:

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Samuel T. Brick, Appellant

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CERTIFICATE OF SERVICE

I, Samuel T. Brick, Appellant, Pro Se, hereby certify that the Initial Reply Brief, the Designation of Matter to be Included in the Record on Appeal filed on October 17, 2014 with the Clerk of Court, and this Certificate of Service in the above-captioned appeal was served upon the parties to this action by my depositing a copy of same, enclosed in a First Class postpaid envelope addressed to the attorneys of record in a post office or official postal depository under the exclusive care and custody of the United States Postal Service, on October 17, 2014, addressed in the following manner:

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Richland County, South Carolina

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