

The Supreme Court of South Carolina

Town of Arcadia Lakes, Robert L. Jackson, Linda Z. Jackson, Robert E. Williams, Barbara S. Williams, Elizabeth M. Walker, Louis E. Spradlin, Thomas Hutto Utsey, Tony Sinclair, Aaron Small, Bette Small, Gene F. Starr, M.D., Elaine J. Starr, Sanford T. Marcus, Ruth L. Marcus, and Steven Browb, Petitioners,


v.

South Carolina Department of Health and Environmental Control and Roper Pond, LLC, Respondents.

Appellate Case No. 2013-001521

ORDER

Respondent South Carolina Department of Health and Environmental Control (DHEC) moves to supplement the appendix in this matter. Petitioners have filed a return in opposition to the motion. The motion is denied, as the information at issue is not part of the record on appeal and therefore is not properly included in the appendix. Rule 243(e), SCACR. Instead, if DHEC believes the information renders this case moot, it should file a motion to dismiss and present the information at issue in support of its motion.


C.J.
FOR THE COURT
Pfeicones, J., not participating

Columbia, South Carolina

December 18, 2014

cc:

W. Thomas Lavender, Jr., Esquire
Joan Wash Hartley, Esquire
Amy Elizabeth Armstrong, Esquire
Roger Page Hall, Esquire
Stephen Philip Hightower, Esquire
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