

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

APPEAL FROM RICHLAND COUNTY  
Court of Common Pleas

Edgar W. Dickson, Presiding Judge

Case No. 2010-CP-40-1095  
Appellate Case No. 2015-000109

**RECEIVED**  
MAY 13 2015  
SC Court of Appeals

Protection and Advocacy for People with Disabilities,  
Inc., ..... Appellant,

v.

Beverly A. H. Buscemi, Ph.D., in her official capacity as  
State Director, South Carolina Department of Disabilities  
and Special Needs and The South Carolina Department  
of Disabilities and Special Needs, and Kelly Hanson  
Floyd, Nancy Banov, W. Robert Harrell, Rick Huntress,  
Deborah McPherson and Dr. Otis Speight in their  
Official Capacities as Members of the Department of  
Disabilities and Special Needs Commission, ..... Respondent.

**APPELLANT PROTECTION AND ADVOCACY FOR PEOPLE WITH DISABILITIES,  
INC.'S DESIGNATION OF MATTER TO BE INCLUDED IN THE RECORD ON  
APPEAL**

Pursuant to Rule 209, SCACR, Appellant designates the following material for inclusion  
in the record on appeal:

**ORDERS:**

1. Order filed October 1, 2012;
2. Order filed November 29, 2012;
3. Order Denying Plaintiff's Motion for Reconsideration filed December 11, 2014;
4. Amended Order filed December 11, 2014;

**PLEADINGS:**

5. Complaint filed February 16, 2010;
6. Answer dated March 16, 2010;

**TRANSCRIPTS:**

7. Transcript of Trial Proceedings pp. 1-98;

**MOTIONS:**

8. Plaintiff's Motion to Alter, Amend, and/or Reconsider filed December 17, 2012;
9. Plaintiff's Motion for Summary Judgment filed July 8, 2011, the supporting memorandum, documents cited therein, and attachments (including Prevost Affidavit dated July 8, 2011 and Defendant's responses to discovery requests);
10. Defendant's Motion for Summary Judgment filed July 12, 2011, the supporting memorandum, and attachments (including Lacy Affidavit dated July 7, 2011);
11. Plaintiff's Response to Defendant's Motion for Summary Judgment, filed July 22, 2011.

**TRIAL EXHIBITS:**

12. Plaintiff's Exhibit 1;
13. Plaintiff's Exhibit 2;
14. Defendant's Exhibit 1;
15. Defendant's Exhibit 2;

**OTHER FILINGS:**

16. Plaintiff's Pre-Trial Brief dated October 2, 2012.

Undersigned counsel certifies, pursuant to Rule 209(c), SCACR, that the designation contains no matter which is irrelevant to the appeal.

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Attorneys for Appellant

Greenville, South Carolina

May 13, 2015

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Protection and Advocacy for People with Disabilities, Inc.,

Appellant,

v.

Beverly A. H. Buscemi, Ph.D in her official capacity as State Director, South Carolina Department of Disabilities and Special Needs and The South Carolina Department of Disabilities and Special Needs, and Kelly Hanson Floyd, Nancy Banov, W. Robert Harrell, Rick Huntress, Deborah McPherson and Dr. Otis Speight in their Official Capacities as Members of the Department of Disabilities and Special Needs Commission.

Respondent,

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**PROOF OF SERVICE**

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I, the undersigned Administrative Assistant, certify that on May 13, 2015 I served Appellant's Initial Brief and Designation of Matter by mailing a copy of the same by United States Mail, postage prepaid, to William H. Davidson, II, Kenneth P. Woodington, 1611 Devonshire Drive, Second Floor, Post Office Box 8568, Columbia, South Carolina 29202.



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Lisa P. Whitehurst  
Administrative Assistant

# Nelson Mullins

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May 13, 2015

The Honorable Jenny Abbott Kitchings  
Clerk of Court  
South Carolina Court of Appeals  
1015 Sumter Street  
Columbia, SC 29201

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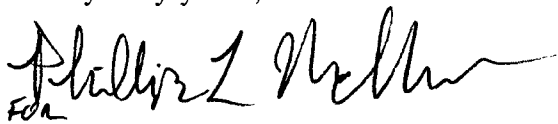
RE: Protection and Advocacy for People with Disabilities, Inc. v. Beverly A. H.  
Buscemi, Ph.D., et al.  
Case No. 2010-CP-40-1095  
Appellate Case No. 2015-000109

Dear Ms. Kitchings:

In connection with the above captioned matter, enclosed please find an original and three (3) copies of Appellant's Initial Brief and Designation of Matter, and Proof of Service. Please file and return the filed copies to this office. I have enclosed a self-addressed, stamped envelope for your convenience.

By copy of this letter to opposing counsel I am serving them with the enclosed.

Very truly yours,

  
FOR  
Reid T. Sherard

RTS:kmj

Enclosure

cc: Kenneth P. Woodington  
William H. Davidson