

The South Carolina Court of Appeals

Samuel T. Brick, Appellant,

v.

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

Appellate Case No. 2014-000583

ORDER

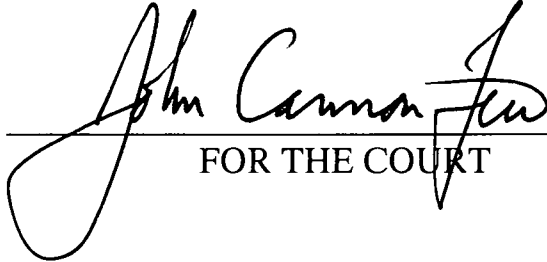
Fairways Development, LLC, has filed a motion to dismiss, a motion to expedite, and a motion to substitute a party. Samuel T. Brick has filed a motion to clarify this court's March 9, 2015 order requiring him to file an amended record on appeal.

After careful consideration, Fairways's motion to dismiss is denied. However, this court will consider the issues raised in the motion once this case is assigned to an appellate panel. Fairways's motions to expedite and substitute a party¹ are also denied.

As to Brick's motion to clarify, this court previously ordered that Appellant shall not include in the record on appeal any matters that were not in existence at the time the appeal was filed. Pages 222 to 233 of the amended record were not in existence before this appeal was filed. However, because Brick and Fairways have filed final briefs citing to the amended record as filed, this court will not consider pages 222 to 233 of the amended record and Brick is not required to remove those pages or otherwise revise the amended record. Brick shall comply with all other provisions of this court's March 9, 2015 order. Accordingly, Brick shall file a supplemental record containing the October 31, 2012 complaint in Civil Action

¹ Given the relief granted by the circuit court, any interest of SPPLA, LLC will not be affected by this appeal unless this court reverses and remands for the circuit court to hear Brick's appeal. In that scenario, SPPLA, LLC could move to intervene in the action before the circuit court.

Number 2012-CP-40-7337 within thirty days. Richland County Planning Commission shall file its final brief within twenty days of service of the supplemental record.


C.J.
FOR THE COURT

Columbia, South Carolina

cc: Samuel T Brick
Michael Brian Wren, Esquire
Tobias Gavin Ward, Jr., Esquire
James Derrick Jackson, Esquire
Andrew F. Lindemann, Esquire

FILED
5/29/15