

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

TO THE CLERK OF THE COURT OF APPEALS:

Pursuant to the Order of the Honorable Jasper M. Cureton of March 9, 2015, and the last sentence of South Carolina Appellate Civil Rule 210(f), Appellant requests the CD included as a part of the initial Complaint in this case as Appendix A-3 be ordered from the trial court and delivered to the appellate court.

Judge Cureton, sua sponte, ordered the CD at Appendix A-3 be treated as an Exhibit. Appellant did not initiate the request for the CD to be an exhibit and previously requested the Court to be excused from including the item in the

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MAR 16 2015

SC Court of Appeals

Record. Notwithstanding, Judge Short ordered its inclusion in his December 4, 2014, Order. Respondent Richland County Planning Commission had requested the item and objected to Appellant's request to the Court to exclude it from the Record. Appellant included it per Judge Short's Order at substantial cost. Appellant does not object to its inclusion but does not consider it germane to the issues before the Court. The CD was not admitted in the limited actions of the trial court on the Complaint. Appellant brought this issue to your attention when filing the Amended Record. Appellant attempted to get clarification from the clerk in your office designated to the case but the telephone message was unanswered.

Accordingly, request you order the trial court to deliver the requested exhibit and provide it to Appellant for him to submit to the Court or if this request suffices, that you submit it to the file as an exhibit. Appellant is providing a copy of this request to Judge Cureton and the parties to the proceeding to ensure this request comports with his Order and the rules of the court.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'S. T. Brick', written in a cursive style.

Samuel T. Brick, Appellant, Pro se
124 Runnymede Drive
Blythewood, SC 29016
803 546 4895

March 13, 2015

The South Carolina Court of Appeals **RECEIVED**

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Samuel T. Brick, Appellant,

SC Court of Appeals

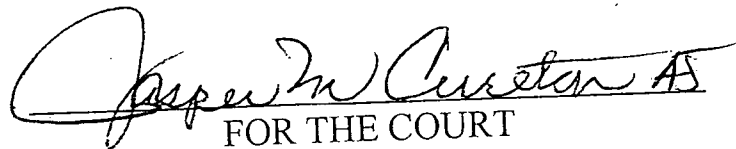
v.

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

Appellate Case No. 2014-000583

ORDER

After careful consideration, Respondent Richland County Planning Commission's motion to correct the record on appeal is granted. Within thirty days, Appellant shall serve and file an amended record on appeal that cures the deficiencies listed in Respondent's motion. Specifically, Appellant shall include in the record the Complaint filed October 31, 2012 in Civil Action Number 2012-CP-40-7337. Second, Appellant shall not include any matters that were not in existence at the time the appeal was filed. Third, Appellant shall consecutively number the pages in the amended record on appeal pursuant to Rule 210(c), SCACR. Finally, Appellant shall not include the CD with the copies of the record. Rather, Appellant must submit the CD separately as an exhibit.


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
3/9/15

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CERTIFICATE OF SERVICE

Samuel T. Brick, Appellant pro se hereby certifies that the undersigned Appellant, pro se, served a request to the Clerk of Court under the provisions of South Carolina Appellate Civil Rule 210(f) to obtain an exhibit pursuant to the Order of the Honorable Jasper M. Cureton upon the parties to this action and to Judge Cureton by depositing a copy of same, enclosed in a First Class postpaid envelope addressed to the attorneys of record and Judge Cureton in a post office

or official postal depository under the exclusive care and custody of the United States Postal Service, on March 13, 2015, addressed in the following manner:

Andrew F. Lindemann, Esquire
Michael B. Wren, Esquire
Davidson & Lindemann, P.A.
P.O. Box 8568
Columbia, S.C. 29202-8568
Attorneys for Respondent

Tobias G. Ward, Jr., Esquire
J. Derrick Jackson, Esquire
Post Office Box 6138
Columbia, SC 29260
Attorneys for Intervenor/Respondent

The Honorable Jasper M. Cureton
The South Carolina Court of Appeals
1015 Sumter Street
Columbia, SC 29201

A handwritten signature in black ink, appearing to read 'Samuel T. Brick', written over a horizontal line.

Samuel T. Brick, Appellant, pro se