

**THE STATE OF SOUTH CAROLINA  
In The Court of Appeals**

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**RECEIVED**

**JUN 17 2015**

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

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**SC Court of Appeals**

**Appellate Case No. 2014-000583**

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Samuel T. Brick, Appellant,

v.

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

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**SUPPLEMENT TO THE RECORD ON APPEAL**

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

Andrew F. Lindemann  
Michael B. Wren  
Davidson & Lindemann, P.A.  
P.O. Box 8568  
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803 806 8222  
Attorneys for Respondent

Tobias G. Ward, Jr.  
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803 708 4200  
Attorneys for Intervenor Respondent

**THE STATE OF SOUTH CAROLINA**

**In The Court of Appeals**

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**APPEAL FROM RICHLAND COUNTY**

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DeAndrea Gist Benjamin, Circuit Court Judge  
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**Samuel T. Brick, Appellant**

**v.**

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

**SUPPLEMENT TO THE RECORD ON APPEAL**

Pursuant to the Order of the Court of May 29, 2015, and under the provisions of Rule 212(a), SCACR, the following Complaint dated October 31, 2012, in Richland County Court of Common Pleas, Civil Action Number 2012-CP-40-7337 is filed as a supplement to the Record on Appeal.

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Common Pleas, Civil Action Number 2012-CP-40-7337 Page 3

**CERTIFICATE OF COUNSEL**

The undersigned certifies in accordance with Rule 210, SCACR, the Supplement to the Record of Appeal contains all material required by the Court to be filed under Rule 212 (a), SCACR, and not any other material.



Samuel T. Brick, Appellant, Pro Se  
124 Runneymede Drive  
Blythewood, SC 29016  
803 546 4895  
[sbrick2011@gmail.com](mailto:sbrick2011@gmail.com)

June 17, 2015

STATE OF SOUTH CAROLINA )

COUNTY OF RICHLAND )

SAMUEL T. BRICK, individually, and on )  
behalf of all others similarly situated )  
124 Runnymede Drive )  
Columbia, SC 29016, )  
803 546 4895 Plaintiff )

vs. )

RICHLAND COUNTY )

Ms. Michelle Onley, Acting Clerk )  
2020 Hampton Street 4<sup>th</sup> Floor )  
Columbia, SC 29202, 803 576 2060 )

TRACY HEGLER, in her official capacity )  
while serving as Richland County )  
Planning Director, and individually )  
Planning Department Offices )  
2020 Hampton Street, 1<sup>st</sup> Floor )  
Columbia, SC 29204, 803 576 2168 )

SPARTY HAMMETT, in his official )  
capacity, while serving as Assistant )  
Administrator, Richland County, )  
and individually )  
2020 Hampton Street Room 4058 )  
Columbia, SC 29202, 803 576 2050 )

PATRICK PALMER, in his official )  
capacity while serving as Chairman, )  
Richland County Planning )  
Commission, and individually )  
1910 Main Street, Suite 200 )  
Columbia, SC 29201, 803 254 0100 )  
and )

FAIRWAYS DEVELOPMENT, LLC, )  
John T. Bakhaus, Registered Agent, )  
2004 Longtown Road East )  
Blythewood, SC 29016 )  
803 754 2017 Defendants )

IN THE COURT OF COMMON PLEAS

**COMPLAINT**

**FOR**

**VARIOUS VIOLATIONS OF**

**THE SOUTH CAROLINA**

**FREEDOM OF INFORMATION ACT**

*Section 30-4-10 S.C. Code of Laws*

I, Samuel T. Brick, the plaintiff in this civil action, do make the following claims:

### **THE PARTIES**

1. Plaintiff Samuel T. Brick is a citizen of South Carolina and lives within Richland County.
2. Defendant Richland County is a political subdivision of the State of South Carolina and as such through its various administrators administers the Land Development Code of Richland County, South Carolina (Chapter 26 of the Richland County Code of Ordinances, hereinafter referred to as the code). The code, among other things, guides development within the geographical area of Richland County in accordance with existing and future needs and promotes the public health, safety, morals, convenience, order, appearance, prosperity, and general welfare of the area of its governance. (Section 26-2 of such code).
3. Defendant Tracy Hegler is the Planning Director of the Richland County Planning and Development Services Department, an executive body of Richland County created by section 2-216 of the code and, pursuant to section 26-35(b)(1) of the code serves on and coordinates the activities of the Richland County Development Review Team as established in Section 26-34 of the code. She performs her duties in Richland County. She manages the land development permitting processes, the subdivision and approval processes, and among other functions, serves on the Richland County Development Roundtable.
4. Defendant Sparty Hammett is an assistant county administrator for Richland County, an executive body of Richland County, with oversight responsibility for the Richland County Planning and Development Services Department to include all its functions and serves as a member of the Richland County Development Roundtable. Among other things, he supervises

the Richland County Planning Department and is Defendant Tracy Hegler's immediate supervisor. He performs his duties in Richland County.

5. Defendant Patrick Palmer is the Chairman of the Richland County Planning Commission which is authorized under Section 6-29-320 of the South Carolina Code. Section 2-332(b) of the code establishes the Richland County Planning Commission to perform all duties required by law. On October 1, 2012, Defendant Patrick Palmer served as Chairman in a published Planning Commission public meeting convened to discuss and act upon several matters over which it had jurisdiction. He is a resident of Richland County and has offices within Richland County.

6. Defendant Fairways Development, LLC, through its officer John T. Bakhaus, as an owner of property in a residential, single family low density district (Section 26-89 of the code) in Richland County, applied to the Richland County Planning and Development Services Department for development of approximately 100.7 acres under section 26-186 of the code. This section is called, "Green Code standards". The application was the first major development suggested utilizing such green code standards.

### **JURISDICTION**

7. This case is brought under Title 30, Chapter 4 of the Code of Laws of South Carolina, known as the "Freedom of Information Act," and as referred to hereinafter as the Act. No jury trial is requested.

8. Section 30-4-100(a) of the Act authorizes any citizen of the State of South Carolina to apply to the circuit court for either or both a declaratory judgment and injunctive relief to enforce its provisions. The plaintiff contends that Richland County, the Chairman of the Richland County Planning Commission, the Richland County Planning Director, and the Assistant Administrator with supervision over the Planning Department within the year previous to the

date of filing this Complaint violated several provisions of the Act, as mentioned below in this Complaint. The plaintiff requests relief for damages by the defendants actions and inactions that violate the Act, as authorized by Section 30-4-100 of the Act and as pleaded for below.

9. The Richland County Development Roundtable is an advisory committee within the meaning of "Public Body" as defined by section 30-4-20 of the Act. It is supported by public funds with some members who are public employees and receiving compensation for their participation on this body. The Roundtable meets for the purpose of, among other things, advising the Planning Department and the County Council on policy relating to Land Development in Richland County. See Appendix A, a press release for a Land development information session regarding proposed changes to the code as well as a list of the Roundtable's members. The Roundtable meets at the public facility known as the Richland County Administration Building and makes recommendations to the County Council. See Appendix B, the first two pages of Minutes of the Richland County Council Regular Session on Tuesday, September 18, 2012. Appendix B shows the council scheduling a work session to examine Roundtable recommendations. Defendant Tracy Hegler is a member of the Richland County Development Roundtable and an employee and agent of Richland County. Defendant Sparty Hammett also is a member of the Roundtable and an employee and agent of Richland County.

10. The Richland County Development Review Team is supported by public funds and is a public body within the meaning of Section 30-4-20(a) of the Act. The team is organized under section 26-38 of the code to review and comment on major and minor land development applications, major subdivision plat applications, and other plans or applications as requested by the planning department. The team also reviews certain development applications under sections 26-53 and 26-54 of the code to determine if they comply with federal, state' and local

laws as well as the county's comprehensive plan. The Development Review Team approves, approves conditionally, or denies applications. Defendant Tracy Hegler coordinates the activities and serves as chairperson of the Development Review Team. As the Planning Director, she supervises several members of the Development Review Team. Defendant Sparty Hammett has overall supervisory responsibility for the Development Review Team.

11. The Richland County Planning Commission is established pursuant to Section 2-332(b) of the Richland County Code. Its duties, among others is to serve as an appellate body under Section 26-54(c)(3)d.3. of the code on appeals from the Richland County's subdivision and review procedures, specifically the decisions of a development review team's actions on a major subdivision sketch plan review and approval. On October 1, 2012, pursuant to its published agenda (See at Appendix C) it performed such a function and held a public meeting. It was a public body conducting a meeting. Defendant Patrick Palmer conducted the meeting of the Planning Commission on October 1, 2012, and moved at one point that it be closed for an executive session.

## **FIRST VIOLATIONS**

### **DEVELOPMENT ROUNDTABLE**

12. Richland County through its Planning Director and Assistant Administrator, defendants Tracy Hegler and Sparty Hammett operate an advisory committee known as the Richland County Development Roundtable, hereinafter referred to as the Roundtable. It is supported in part by public funds to recommend changes to county ordinances or to recommend new legislation. The Roundtable has met at the Richland County County Administrative offices on divers times within the twelve months preceding the filing of this complaint. It developed recommendations and proposed changes to the Richland Development Code (See Appendix A).during this twelve-

month period. In particular it examined the Green Code standards section of such code (Section 26-186). There was no notice of Roundtable meetings by published dates, times, or places of each meeting in accordance with Section 30-4-80 of the Act. There is no published agenda and no minutes to preserve its discussions, deliberations, reasons for proposed changes to ordinances, and actions as required in other provisions of the Act.

13. Plaintiff left a telephonic message with Defendant Tracy Hegler during the month of August, 2012, requesting a return call and information regarding the times and places the Roundtable would meet. She did not respond to these requests even after several subsequent calls.

14. A member of the Richland County Council admonished the plaintiff at a September council work session for not meeting with the Roundtable and mentioning certain problems regarding the Green Code standards section of the code. The Plaintiff spoke at the end of that work session with the deputy director of the Planning Department and asked as to when and how such meetings are advertised. The Plaintiff followed up the next day with an email requesting this information. The Planning Director, Defendant Tracy Hegler, responded to that email with copy to Defendant Sparty Hammett and characterized the Roundtable as a working task group. A copy of the email and response is at Appendix D.

15. On August 20, 2012, the plaintiff requested through provisions of the Act for a copy of the legislative history with regard to the Richland County Council's adoption of section 26-186, the Green Code standards (Appendix E). After an initial reply unresponsive to the request and a subsequent meeting with the Ombudsman's office and a request on September 6, 2012, for the same information, the Ombudsman's Office forwarded documents as to enactment formality but with no legislative history or council discussions or comments regarding reasons for the

provision, it's meaning, or otherwise. There were no records indicating why the proposal was enacted, its intent, its meaning or otherwise with regard its provisions. Plaintiff contends the proposal was a product of the Roundtable and it leaves no legislative history. The Ombudsman replied that Richland County has no further information regarding this matter. The correspondence without attachments is at Appendix F.

16. Defendant Hammett, as senior representative to the Roundtable for Richland County and Defendant Tracy Hegler, as staff contact for the Roundtable violated section 30-4-90 of the Act requiring minutes to be kept of the meeting and the contents of such minutes. Their failure to preserve such information, aside from the failure to provide a legislative history of ordinance enactment, as mentioned in paragraph 14 above, has far-reaching deleterious consequences as to the administration of complicated and important provisions relating to land management in Richland County.

17. Plaintiff requests equitable relief to cure as much of this violation as possible to include but not be limited to, the following:

A. An Order in the nature of a declaratory judgment by this Honorable Court that all future meetings of the Roundtable be treated as meetings of public bodies in conformity with the Freedom of Information Act.

B. An injunction against any further meetings of the Roundtable until an annual agenda is properly published.

C. An injunction requiring any meetings relating to changes, revisions or replacement provisions for Section 26-186, Green Code standards, be returned without further Richland County action and that they be discarded with relevant matters addressed *ab initio* and placed on the agenda for the coming year.

D. That Plaintiff be awarded reasonable attorney fees, and costs of litigation to include all Planning Commission appeal fees, court filing fees, and such other costs and fees as this Honorable Court in its discretion deems necessary and appropriate.

## **SECOND VIOLATIONS**

### **DEVELOPMENT REVIEW TEAM, AUGUST 9, 2012**

18. Defendant Fairways Development LLC applied for a Green Code major development in July, 2012. The sketch plans for the proposed development was scheduled for a review by the Development Review Team review to be held August 9, 2012.

19. On August 7, 2012, Plaintiff and other members of the Richland County community met with various members of the Development Review Team to discuss interpretations of the Green Code as they would apply to the Fairways Development LLC application. The application did not apply for a bonus under subsection (i) of the Green Code standards section yet it included more dwelling units than authorized under the applicable zoning code (Section 26-89, RS-LD Residential, Single Family – Low Density). An interpretation of the Planning Director was that the Green Code standards were a de facto separate zoning district without a minimum lot area.

20. On August 8, 2012, the Defendant Tracy Hegler met with other members of the Planning Department at the Richland County Administrative Building to discuss the matters raised in the meeting of August 7, 2012, and to come to a consensus of the Planning Department with regard to the scheduled Development Review Team action on the submitted permit. The meeting discussed factors that related to the ultimate disposition of the Development Review Team's proposed action on the sketch plan. Defendant Sparty Hammett had advance knowledge of the meeting.

21. At the August 8, 2012 meeting, a quorum of the members of the Development Review Team came to a consensus to approve the Fairways Development LLC sketch plans. The meeting was not open to the public as required under section 30-4-60 of the Act nor did any of the exemptions listed in Section 30-4-70 of the Act apply. Minutes of the August 8, 2012 meeting were not kept in accordance with Section 30-4-90 and there was no notice of the meeting as required by Section 30-4-80 of the Act.

22. On August 9, 2012, The Development Review Team met in accordance with its schedule with regard to the Fairways Development Application, known as The Villages @ Longcreek. Defendant Tracy Hegler convened the meeting and there was no discussion prior to a motion for approval. There was a second to the motion, and then there was a unanimous vote for approval.

23. Defendant Richland County, through its agents Defendant Tracy Hegler and Defendant Sparty Hammett, individually, and in their county positions as senior leaders in the administration of the county convened and participated or approved the convening and participation of the Development Review Team's private discussions and consensus determination in a non public meeting held at the Richland County administrative offices on August 8, 2012. This was with regard to a seminal application of a major development provision of the code that provides, as interpreted, provided a new *de facto* zoning district without zoning district changes as required by other sections of the code to include County Council approval. There are several interpretations of the Green Code provision that differed. The non public meeting violated Section 30-4-60 of the Act. This also undercut the purpose and intent of the functions and operations of the Development Review Team by deciding matters designed for formal, public action in private.

24. Plaintiff requests equitable relief to cure as much of this violation as possible to include but not be limited to, the following:

A. That the Development Review Team's Action on the Concept Plan/sketch plan be declared null and void and be returned to the Development Review Team to hold a public meeting with public input on the Fairways Development LLC application.

B. That no development be authorized or conducted on the Fairways Development LLC application until such time as the Development Review Team has acted on the application and time for any authorized appeals have expired, or if an appeal is filed, until the appeals process is finalized to include any appeal to this Honorable Court.

C. That the Plaintiff be awarded reasonable attorney fees; costs of litigation to include all Planning Counsel appeal fees, court filing fees, and such other costs and fees as this Honorable Court in its discretion deems necessary and appropriate.

### **THIRD VIOLATIONS**

#### **IMPROPER EXECUTIVE SESSION IN**

#### **APPEAL TO PLANNING COMMISSION**

25. On August 24, 2012 (revised September 5, 2012) under the provisions of Section 26-54(c)(3)d.1.[b] of the code, Plaintiff Samuel T. Brick appealed to the Richland County Planning Commission the decision of the Development Review Team to approve the application of Fairways Development LLC. The Planning Commission is required to conduct a public hearing on such an appeal (Section 26-54(c)(3)d.3[a] of the code) and partially did so on October 1, 2012.

26. There are no specified hearing procedures for appeals to the Planning Commission other than that the Planning Commission must approve the sketch plan if it determines, among three other unrelated matters, that the proposed project complies with provisions of the Richland County Land Development Code. The Boards and Committees Coordinator for the Planning Department advised the Plaintiff that he should be present "to answer any questions the Commission may have." See Appendix F. The Plaintiff was allowed, along with any other member of the public, to address the commission on the matter and did so. He was not permitted to question Planning Department staff regarding their contentions or to provide the Planning Commission rebuttal information. The Planning Commission had no questions for the Plaintiff.

27. During the proceedings, after questions concerning a complicated matter regarding attached dwelling units, Defendant Patrick Palmer, acting as Planning Commission chairman, asked the other members of the commission to join him in an executive session, a meeting in private. They started to remove themselves and the attorney for the commission stated they needed a motion and reason to do so. The commission while walking out of the room heard a motion which was adopted to allow an executive session to obtain legal advice. Defendant Palmer then invited Defendant Tracy Hegler who is not a lawyer to join them and they all left the room with the Planning Commission attorney. There was no provision or opportunity for the appellant to object.

28. The executive session referred to in paragraph 27 does not meet any of the reasons that authorize a public body to hold a meeting closed to the public. Section 30-4-70 of the Act authorizes such meetings to discuss personnel matters, the development of security devices, investigative proceedings regarding allegations of criminal misconduct, matters relating to the

proposed locations or expanded business in the area, a specific provision of the Retirement System Investment Commission, and to obtain legal advice on specified claims and matters.

29. The matters for which legal advice may be provided in an executive session are specifically limited by paragraph 30-4-70(a)(2) of the Act. It gives exceptions to discuss negotiations incident to proposed specified contractual arrangements; to obtain legal advice where the advice relates to a pending, threatened, or potential claim or other matters covered by the attorney-client privilege; to discuss settlement of legal claims; or to discuss the position of the public agency in the adversary situations involving the assertion of a claim against the agency. None of these exceptions are applicable to the appeal regarding an improper Development Review Team approval of a proposed site plan. There is no claim for monetary or other damages or adversarial action against Richland County. Furthermore, the inclusion of a non lawyer in an attorney-client communication, even though none is apposite, usually destroys the confidentiality required to assert the privilege.

30. The appeal requested relief in the nature of a return of the sketch plan to the owner to clarify and revise his submittal and in any proposed revision to follow specified provisions in the code. It also requested that the Development Review Team action on the sketch plan be nullified and a de novo review be conducted.

31. The appeal to the Planning Department was to an action by a team chaired by the person brought into the executive session. The inclusion by the decisions makers in an executive session of a person who is a party to the proceedings fails to follow the spirit and letter of the Section 30-4-60 of the Act as well as the primary and general provisions of the Act to perform public business in a public and open manner.

32. Defendant Richland County through its agents, to include its legal representative and Defendant Patrick Palmer as proponent of the referenced executive session and Chairman of the Planning Commission that conducted such executive session violated the spirit and provisions of the Act by conducting its decision-making functions in an executive session with the person in charge of the public body, the object of the appeal.

33. Plaintiff requests equitable relief to cure as much of this violation as possible to include but not be limited to, the following:

A. An Order by this Honorable Court that the Planning Commission actions on October 1, 2012, with regard to an appeal by Samuel T. Brick to the Development Review Team decision to approve the Villages at LongCreek sketch plans, as submitted by Defendant Fairways Development LLC, be declared null and void.

B. An injunction against any further action on the Villages at LongCreek project (RCF# SD-12-04; TMS# 20401-01-03) by Richland County until a de novo Development Review Team meeting acts on the sketch plan in conformity with the code and any and all appeals are heard and finally decided on such review should they be filed;

C. A declaratory judgment that any further appeals conducted by the Richland County Planning Commission follow the spirit and provisions of the Freedom of Information Act; and

D. That the Plaintiff be awarded reasonable attorney fees, and costs of litigation to include all Planning Commission appeal fees, court filing fees, and such other costs and fees as this Honorable Court in its discretion deems necessary and appropriate.

#### **FOURTH VIOLATION**

#### **FAILURE TO RESPOND WITHIN 15 WORKING DAYS**

## **TO REQUEST FOR PUBLIC DOCUMENTS**

34. On October 3, 2012, Plaintiff hand delivered a written request under section 30-4-30 to the Office of the Ombudsman for Richland County for various public documents. See request at Appendix G.

35. The request included permission to inspect and copy several requested documents in person the next day. Such copying of documents related to records of public bodies for the preceding six months of the request are authorized under Section 30-4-30(d). All documents requested were for public records generated within the past six months.

36. The afternoon of October 3, 2012, pursuant to a telephone call to the attorney for the Planning Department, the attorney advised Plaintiff that the documents would not be available for his perusal the following day as requested.

37. On October 15, 2012, the Richland County Ombudsman sent correspondence to Plaintiff requiring a fee of \$175 for an advance payment of the costs for copying the requested documents (Appendix H). The correspondence noted the October 3, 2012 date for the request. Plaintiff did not receive the request until October 19, 2012, at which time he personally visited the Ombudsman's office to pay the fees.

38. Plaintiff questioned a fee of \$175 which was changed to \$125 after Plaintiff question one entry. The Plaintiff paid the fee by check while still in the Ombudsman's office October 19, 2012. (Appendix I).

39. On October 24, 2012, Plaintiff visited the Ombudsman's Office to request the status of his request. This was after the fifteen (15) working day period within which the County is allowed to respond. The Plaintiff was advised the documents would be delivered to them the next day and they would transmit them.

40. On October 31, 2012, Plaintiff called the Ombudsman's office to see if the documents had been transmitted by mail or otherwise were available. That office said the request was with the legal office and that office would respond. Plaintiff does not have the documents and does not have any reasons why they should not be provided as of October 31, 2012. Defendant Richland County is in violation of Section 30-4-30 (c) of the Act in not providing a response to the Plaintiff's request within the time allotted by the Act.

41. Part of the reasons for the request is to enable Plaintiff to make an determination as to whether to appeal the decision of the Planning Commission on a possible appeal to this Honorable Court and if such an appeal is considered appropriate, to have the necessary documents to file within the period permitted.

41. Plaintiff requests equitable relief to cure as much of this violation as possible to include but not be limited to, the following:

A. An order to Defendant Richland County to provide the Plaintiff the documents requested in his October 3, 2012, request under the Freedom of Information Act as set forth in Appendix G of this Complaint forthwith.

B. An order that Richland County place on hold any permitting, approvals, or actions on the Application by Defendant Fairways Development LLC, known as Villages at LongCreek, TMS Page 20401, until 30 days after Plaintiff has been notified of the Planning Commission's action on his appeal to the Development review Team Action on that application or until 30 days after Plaintiff has been provided the documents requested in his request under the Freedom of information Act of October 3, 2012, whichever date is later.

C. That the Plaintiff be awarded reasonable attorney fees; costs of litigation to include all fees for copying requested documents, court filing fees, and such other costs and fees as this Honorable Court in its discretion deems necessary and appropriate.

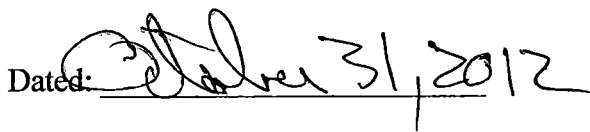
I, Samuel T. Brick, Plaintiff, believe that I am entitled to the relief requested in paragraphs 17, 24, 33 and 41 of this Complaint as set forth above and to reiterate generally, the equitable relief for each violation, the declaratory relief with regard to further conduct by the Development Roundtable and the Richland County Planning Commission, and attorney fees, court costs, appeal costs for the Planning Commission appeal, costs of obtaining materials in support of the complaint be awarded the Plaintiff, and such other and further relief as this Honorable Court in its discretion deems necessary, proper, and appropriate.

I state under the penalty of perjury that the above is correct and truthful, except those based on my information and belief.



Samuel T. Brick, Plaintiff, Pro se

Dated:



**THE STATE OF SOUTH CAROLINA**

**In The Court of Appeals**

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**APPEAL FROM RICHLAND COUNTY**

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

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**Appellate Case No. 2014-000583**

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**Samuel T. Brick, Appellant**

**v.**

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

**CERTIFICATE OF SERVICE OF THE  
SUPPLEMENT TO THE RECORD ON APPEAL**

The undersigned Appellant, Samuel T. Brick, Pro Se, hereby certifies in accordance with SCACR 262 that a copy of the Supplement to the Record on Appeal filed with the Court this date and this Certificate of Service were mailed to the attorneys for the Respondents by depositing the document with the U.S. mail, postage prepaid, on the 17<sup>th</sup> day of June, 2015, addressed as follows:

Andrew F. Lindemann, Esq.  
Michael B. Wrenn, Esq.  
Davidson & Lindemann, P.A.  
P.O. Box 8568  
Columbia, SC 29202, Attorneys for Respondent

**RECEIVED**

JUN 17 2015

SC Court of Appeals

and

Tobias G. Ward, Jr., Esq.

J. Derrick Jackson, Esq.

P.O. Box 6138

Columbia, SC 29206, Attorneys for Intervenor, Respondent

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

Samuel T. Brick, Appellant, Pro Se

124 Runnymede Drive

Blythewood, SC 29016

803 546 4895

sbrick2011@gmail.com

Richland County, South Carolina

June 17, 2015

The Honorable Jenny Abbott Kitchings  
Clerk, South Carolina Court of Appeals  
Post Office Box 11629  
Columbia, SC 29211

**RECEIVED**

JUN 17 2015

SC Court of Appeals

HAND DELIVERED: June 17, 2015

Re: Appellate Case Number 2014-000583, *Samuel T. Brick, Appellant v. Richland County Planning Commission and Fairways Development LLC, Intervenor, Respondents*

Dear Ms. Kitchings:

Enclosed for filing in accordance with the Court's Order on May 29, 2015, in this case are the following:

The Filing of Exhibit, a Computer Disc Recording of the Meeting of Richland County Development Review Team Meeting of November 12, 2012, as requested by Respondent, Richland County Planning Commission, as part of the Complaint, the dismissal of which is the basis for the referenced appeal, with a Certificate of Service as part of the Filing, and the Appendix Page with the computer disc attached as the Exhibit.<sup>1</sup>

Nine<sup>2</sup> bound Supplements to the Record on Appeal and one unbound Supplement as Ordered by the Court in its Order of May 29, 2015, providing per the request of Respondent, Richland County Planning Commission, the October 31, 2012, Complaint in Civil Action Number 2012-CP-40-7337, Richland County Court of Common Pleas.

A Certificate of Service of the Supplement to the Record on Appeal.

Thank you for your assistance in this matter.

Sincerely,



Samuel T. Brick, Appellant, Pro se  
124 Runnymede Drive  
Blythewood, SC 29016  
803 546 4895  
[sbrick2011@gmail.com](mailto:sbrick2011@gmail.com)

<sup>1</sup> The disc initially was inserted as part of the Amended Record filed with the Court on December 19, 2014, but which subsequently was removed to be filed as an Exhibit from the Amended Record.

<sup>2</sup> The Court has previously authorized the Appellant to file nine copies.

Enclosures;  
As Stated.

cc:

Tobias G. Ward, Jr. and J. Derrick Jackson (Counsel for Intervenor, Respondent)  
Andrew F. Lindemann and Michael B. Wren, Davidson & Lindemann, P.A. (Counsel for  
Respondent, Richland County Planning Commission).