

THE STATE OF SOUTH CAROLINA

In the Court of Appeals

APPEAL FROM THE ADMINISTRATIVE LAW COURT

Shirley C. Robinson, Administrative Law Judge

Appellant Case No. 2015-000602

RECEIVED

JUL 13 2015

SC Court of Appeals

Dan Abel and Mary Abel,

Appellants,

vs.

South Carolina Department of Health and Environmental Control and
Pawleys Island Community Church,

Respondents.

**MOTION TO AMEND APPELLANTS'
DESIGNATION OF MATTER**

TO: ALL PARTIES AND THE COURT OF APPEALS:

PLEASE TAKE NOTICE that the Appellants Dan and Mary Abel hereby move the Court of Appeals for an Order allowing for filing an amended Designation of Matter to be included in the Record on Appeal. The basis of this motion is as follows:

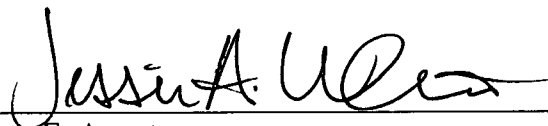
Appellants' designated a document entitled "Geer Deposition Exhibit 4" in connection with Appellants' initial brief. It has come to counsel's attention that while the "Geer Deposition" had been presented to the lower court through Appellants' Motion for Summary Judgment, the exhibits to that deposition were not included. However, the information counsel intended to support by way of reference to "Geer Deposition Exhibit 4" was properly presented to the lower court and designated as "Petitioners' Motion to Enforce Consent Order and to Consolidate."

Therefore, counsel for Appellants requests permission to amend Appellants' Designation of Matter to remove "Geer Deposition Exhibit 4." Counsel is enclosing a proposed Amended Designation of Matter for filing, should this motion be granted.

Counsel for the Appellants has consulted with counsel for the Respondent SCDHEC and Respondent Pawleys Island Community Church, both of whom consent to this requested extension.

WHEREFORE, the Appellants respectfully request that the Court of Appeals enter an order allowing for filing the attached Amended Designation of Matter.

Respectfully submitted,



Amy E. Armstrong

Jessie A. White

SOUTH CAROLINA ENVIRONMENTAL LAW
PROJECT

Mailing address: Post Office Box 1380
Pawleys Island, SC 29585

Office address: 430 Highmarket Street
Georgetown, SC 29440

Telephone (843) 527-0078

FAX (843) 527-0540

Counsel for Appellants

Georgetown, South Carolina

July 8, 2015

THE STATE OF SOUTH CAROLINA

In the Court of Appeals

RECEIVED

JUL 13 2015

SC Court of Appeals

APPEAL FROM THE ADMINISTRATIVE LAW COURT

Shirley C. Robinson, Administrative Law Judge

Appellant Case No. 2015-000602

Dan Abel and Mary Abel,

Appellants,

vs.

South Carolina Department of Health and Environmental Control and
Pawleys Island Community Church,

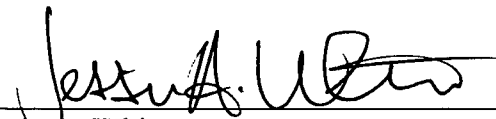
Respondents.

CERTIFICATE OF SERVICE

I hereby certify that on this date I served the foregoing Motion to Amend Appellants' Designation of Matter on Respondents SCDHEC and Pawleys Island Community Church by placing copies of same in the U.S. Mail addressed to:

Daniel W. Stacy, Jr., Esquire
Oxner & Stacy, PA
90 Wall Street
Pawleys Island, SC 29585

Nathan M. Haber, Esquire
SCDHEC/OCRM
1362 McMillan Avenue, Suite 400
Charleston, SC 29405



Jessie A. White

Georgetown, South Carolina
July 8, 2015



The South Carolina Environmental Law Project

Lawyers for the Wild Side of South Carolina

July 8, 2015

a 501c3
non-profit organization

Amy E. Armstrong
Executive Director
Amelia A. Thompson
Staff Attorney
Jessie A. White
Staff Attorney

OFFICE ADDRESS
430 Highmarket Street
Georgetown, SC 29440

MAILING ADDRESS
P.O. Box 1380
Pawleys Island, SC 29585

(843) 527-0078
Fax (843) 527-0540
E-mail amy@scelp.org
amelia@scelp.org
jessie@scelp.org

BOARD OF DIRECTORS

Frances Close
Chairperson

John Barton, Esq.
John Mark Dean, PhD
Margaret D. Fabri, Esq.
Paula Feldman, PhD
Gary W. Poliakoff, Esq.
Leon Rice, Esq.
Robert Schofield
Greg VanDerwerker, MD
Nancy Vinson
Wendy Zera

**BOARD MEMBER
EMERITUS**
Daryl Hawkins

ADVISORY BOARD
Josh Eagle, Esq.
Michael G. Corley, Esq.

Honorable Jenny Abbott Kitchings
Clerk, Court of Appeals
P.O. Box 11629
Columbia, SC 29211

RECEIVED

JUL 13 2015

Re: Dan Abel and Mary Abel v. SCDHEC and Pawleys Island
Community Church;
Appellate Case No. 2015-000602

Dear Ms. Kitchings:

Enclosed for filing please find the original and seven (7) copies of the Appellants' Motion to Amend Designation of Matter, along with my Certificate of Service and filing fee. Also enclosed please find a proposed Amended Designation of Matter for filing, should this motion be granted.

Please return a clocked-in copy in the self-addressed, stamped envelopes provided.

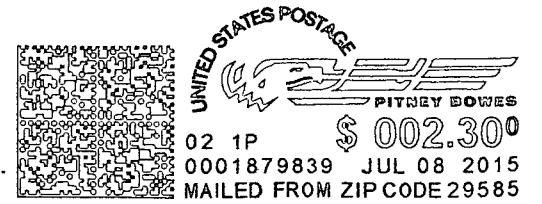
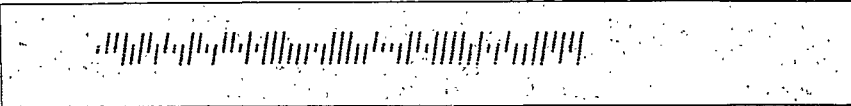
Thank you very much for your kind cooperation and assistance.

Yours very truly,

Jessie A. White

cc: Nathan M. Haber, Esq.
Daniel W. Stacy, Jr., Esq.

***S.C. Environmental Law Project
Post Office Box 1380
Pawleys Island, SC 295895***



**Honorable Jenny Abbott Kitchings
Clerk, Court of Appeals
P.O. Box 11629
Columbia, SC 29211**