

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM CHARLESTON COUNTY
Court of Common Pleas

Honorable R. Markley Dennis, Jr., Circuit Court Judge

Case No. 2014-CP-10-6613

County of Charleston, South Carolina, Appellant,

vs.

South Carolina Department of Transportation, Respondent.

**DESIGNATION OF MATTER TO BE
INCLUDED IN THE RECORD ON APPEAL**

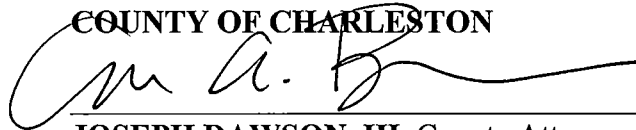
Appellant designates the following matter to be included in the Record on Appeal:

1. Notice of Appeal filed June 18, 2015.
2. Complaint filed October 27, 2014.
3. Answer of SCDOT filed November 14, 2014.
4. Defendant's Motion for Summary Judgment filed January 23, 2015.
5. Plaintiff's Notice of Motion and Motion for Summary Judgment filed February 23, 2015.
6. Memorandum of Law in Support of the County's Motion for Summary Judgment and in Opposition to the South Carolina Department of Transportation's Motion for Summary Judgment filed April 9, 2015.
7. Order of the Honorable R. Markley Dennis, Jr. filed May 19, 2015.

8. Transcript of Hearing – April 7, 2015.
9. Charleston County Zoning and Land Development Regulations Ordinance Number 1202 adopted November 20, 2001, as amended, Article 9.4, Tree Protection and Preservation.
10. Letter from Sally Brooks to Marcie Timmons dated July 18, 2012.
11. Letter from Linda C. McDonald, Esquire to Daniel C. Pennick dated August 31, 2012.
12. Letter from Daniel C. Pennick to Linda C. McDonald, Esquire dated November 14, 2012.
13. Letter from Linda C. McDonald, Esquire to Daniel C. Pennick dated January 16, 2013.

I certify that this Designation of Matter contains no matter which is irrelevant to this appeal.

COUNTY OF CHARLESTON



JOSEPH DAWSON, III, County Attorney
BERNARD E. FERRARA, JR., Deputy County Attorney
AUSTIN A. BRUNER, Assistant County Attorney
JOHANNA S. GARDNER, Assistant County Attorney
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4045 Bridge View Drive
North Charleston, South Carolina 29405
(843) 958-4010

ATTORNEYS FOR APPELLANT

August 27, 2015
Charleston, South Carolina

THE STATE OF SOUTH CAROLINA
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County of Charleston, South Carolina, Appellant,

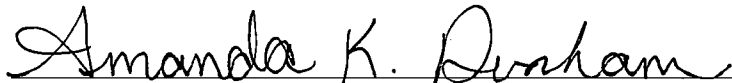
vs.

South Carolina Department of Transportation, Respondent.

PROOF OF SERVICE

I certify that I have served the **Initial Brief of Appellant** and **Designation of Matter to be Included in the Record on Appeal** on the all counsel of record by depositing a copy of the same in the United States Mail, postage prepaid, on August 27, 2015, addressed as follows:

Linda C. McDonald, Esquire
Beacham O. Brooker, Jr., Esquire
South Carolina Department of Transportation
Post Office Box 191
Columbia, South Carolina 29202
Attorney for Respondent



AMANDA K. DURHAM, Certified Paralegal
CHARLESTON COUNTY ATTORNEY'S OFFICE



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abruner@charlestoncounty.org

Austin A. Bruner
ASSISTANT COUNTY ATTORNEY

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SC Court of Appeals

August 27, 2015

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

Re: County of Charleston v. South Carolina Department of Transportation
Appellate Case No. 2015-001309

Dear Ms. Kitchings:

I have enclosed for filing pursuant to Rules 208 and 209, SCACR, the original and two copies of the Initial Brief of Appellant and Designation of Matter to be Included in the Record on Appeal. I would appreciate your acknowledging receipt of these documents by date-stamping the extra copies of the enclosed and returning them to me in the enclosed envelope.

By copy of this letter, I am serving counsel for Respondent with these documents and enclose a Proof of Service to that effect. If you have any questions or need any additional information, please do not hesitate to contact me.

Sincerely,

CHARLESTON COUNTY ATTORNEY'S OFFICE

Austin A. Bruner

AAB/ad
Enclosures

cc: Linda C. McDonald, Esquire
Beacham O. Brooker, Jr., Esquire

**RETURN SERVICE
REQUESTED**

FIRST CLASS



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CHARLESTON COUNTY ATTORNEY'S OFFICE
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SC Court of Appeals

Honorable Jenny Abbott Kitchings
Clerk of Court
The South Carolina Court of Appeals
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