

THE STATE OF SOUTH CAROLINA
In the Supreme Court

RECEIVED

SEP - 8 2015

APPEAL FROM GREENWOOD COUNTY
Court of Common Pleas

S.C. Supreme Court

Eugene C. Griffith, Jr., Circuit Court Judge

Appellate Case No. 2012-212006

Unpublished Opinion No. 2012-UP-081(S.C. Ct. App. filed February 15, 2012)

William Alvin Hueble, Jr., Petitioner,
v.
South Carolina Department of Natural Resources and Eric Randall Vaughn, Defendants,
Of Whom Eric Randall Vaughn is Respondent.

RULE 217 MOTION

Out of an abundance of caution and pursuant to Rule 217, SCACR, Petitioner seeks leave of the Court to argue against any precedent which may be deemed to exist in Belton v. State of South Carolina, 339 S.C.71, 529 S.E.2d 4 (2000)(specifically, footnote four).

Respectfully submitted,



John P. Riordan (SC Bar #65284)
SMITH MOORE LEATHERWOOD
2 West Washington Street, Suite 1100
Post Office Box 87
Greenville, SC 29602-0087
(864) 751-7638; (864) 751-7800 (Fax)
Jack.Riordan@smithmoorelaw.com
Attorneys for Petitioner

THE STATE OF SOUTH CAROLINA
In the Supreme Court

RECEIVED

SEP - 8 2015

S.C. Supreme Court

APPEAL FROM GREENWOOD COUNTY
Court of Common Pleas

Eugene C. Griffith, Jr., Circuit Court Judge

Appellate Case No. 2012-212006

Unpublished Opinion No. 2012-UP-081(S.C. Ct. App. filed February 15, 2012)

William Alvin Hueble, Jr., Petitioner,
v.
South Carolina Department of Natural Resources and Eric Randall Vaughn, Defendants,
Of Whom Eric Randall Vaughn is Respondent.

PROOF OF SERVICE

The undersigned certifies that on the 3rd day of September, 2015, he caused to be served the Rule 217 Motion on counsel for Respondent and Defendant DNR by regular U.S. mail, copies of the same addressed to:

Andrew F. Lindemann
DAVIDSON & LINDEMANN, P.A.
1611 Devonshire Drive
Post Office Box 8568
Columbia, SC 29202
(803) 806-8222

J. Victor McDade
DOYLE, TATE & McDADE, P.A.
Post Office Box 2125
Anderson, SC 29622
(864) 224-7111

Thomas E. Hite, Jr.
HITE & STONE
PO Box 805
Abbeville, SC 29620

Steven M. Pruitt
McDONALD, PATRICK POSTON HEMPHILL & ROPER, LLC
PO Box 1547
Greenwood, SC 29648
(864) 388-1014



John P. Riordan (SC Bar #65284)
SMITH MOORE LEATHERWOOD
2 W. Washington Street, Suite 1100
Post Office Box 87
Greenville, SC 29602-0087
(864) 751-7600; (864) 751-7800 (Fax)
Jack.Riordan@smithmoorelaw.com

Jonathan S. Gasser (SC Bar #9904)
Johnny@harrisgasserlaw.com
Gregory P. Harris (SC Bar # 7859)
Greg@harrisgasserlaw.com
HARRIS & GASSER
1529 Laurel Street
Columbia, SC 29201
(803) 779-7080; (803) 746-0480 (Fax)

Attorneys for Petitioner