

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM HORRY COUNTY
Court of Common Pleas

The Honorable Larry B. Hyman, Jr.
Circuit Court Judge

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JAN 11 2016

SC Court of Appeals

APPELLATE CASE NO. 2015-001868

SKYDIVE MYRTLE BEACH, INC.Appellant

v.

HORRY COUNTY..... Respondent

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

Appellant proposes the following to be included in the Record on Appeal:

1. Form 4 Order of March 2, 2015;
2. Form 4 Order of May 6, 2015;
3. Order of May 27, 2015;
4. Order of July 16, 2015;
5. Order of September 30, 2014 (Primary Action)¹;
6. Order of June 3, 2014;
7. Form 4 Order of September 22, 2015;
8. Order of October 13, 2015;
9. Order of November 9, 2015;

¹ Appellant filed a complaint in circuit court styled *Skydive Myrtle Beach, Inc. (f/k/a Skydive Myrtle Beach, LLC) v. Horry County, Horry County Department of Airports, H. Randolph Haldi, Pat Apone, Tim Jackson, and Jack Teal*, C.A. No. 2014-CP-26-1193 ("Primary Action").

10. Writ of Ejectment
11. Bond to Stay Execution on Appeal
12. Magistrate Return on Appeal
13. Complaint (Primary Action);
14. Application for Ejectment;
15. Answer (Primary Action);
16. Motion to Remove;
17. Proof of Service on Appellant of June 17, 2014;
18. Magistrates Summons of June 13, 2014;
19. Magistrates Summons of July 8, 2014;
20. Motion for Reconsideration (letter dated July 18, 2014);
21. Magistrates Summons of July 29, 2014;
22. Magistrates Summons of August 3, 2015;
23. Notice of Appeal;
24. Magistrates Summons of February 10, 2015;
25. Verified Memorandum of Law in Support of Injunctive Relief, to Exercise Exclusive Jurisdiction and to Consolidate all State Issues, and to Compel Discovery;
26. Defendant's Memorandum of Law in Opposition to Plaintiff's "Request for Increase in Appeal Bond";
27. Appellant's Memorandum of Law in Opposition to Respondent's Motion for Modification of Bond Amount and for Temporary Restraining Order and Temporary Injunction;
28. Motion for Leave to File Motion for Relief from Judgment of the Magistrate's Court Decision Pursuant to Rule 12(b), SCMCR;
29. Motion to Reconsider Order Dismissing Appeal;
30. Motion for Emergency Injunction and Stay of Ejectment;
31. Verified Petition for Supersedeas Bond;

32. Skydive Myrtle Beach's Memorandum of Law (in Support of Appellant's Verified Petition for Supersedeas Bond and Motion for Emergency Injunction);
33. Motion to Reconsider denial of Supersedeas Bond;
34. Request for Joint Status Conference;
35. Motion Hearing Transcript of May 6, 2015;
36. Motion Hearing Transcript of September 22, 2015;
37. Email from Respondents of September 16-18, 2015, and October 15, 2015;
38. Judge Hyman's Law Clerk dated, October 15, 2015.

I certify that this designation contains no matter which is irrelevant to this appeal.

Dated: January 6, 2016



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v.

HORRY COUNTY,..... Respondent

CERTIFICATE OF SERVICE

The undersigned attorney hereby certifies that a true copy of the *Appellant's Designation of Matter to be Included in the Record on Appeal* in the above referenced case has been served upon counsel of record by mailing a copy in an envelope properly addressed with postage prepaid this 6th day of January, 2016 to the following:

Michael Battle, Esquire
Battle Law Firm, LLC
P.O. Box 530
Conway, SC 29528

Arrigo P. Carotti, Esquire
Horry County Attorney
1301 2nd Ave
Conway, SC 29526



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January 6, 2016
Mount Pleasant, South Carolina

BROWN & VARNADO LLC

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January 6, 2016

Via U.S. Mail

The Honorable Jenny Abbott Kitchings
Clerk of Court
South Carolina Court of Appeals
1220 Senate Street
Columbia, South Carolina 29201

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SC Court of Appeals

RE: Skydive Myrtle Beach, Inc. v. Horry County Appeal
Appellate Case No.: 2015-001868
Our File No.: 6247 - 1

Dear Ms. Abbott Kitchings:

Enclosed herewith for filing please find one (1) original and one (1) copy of: (I) *Appellant's Initial Brief* and (II) *Appellant's Designation of Matter to be Included in the Record on Appeal*. Upon filing, please return the file-stamped copy of both in the envelope provided. By copy of this correspondence, I am providing all Counsel of Record with a copy of the same via U.S. Mail.

If you have any questions or concerns, please do not hesitate to contact my office.

With kindest regards, I remain,

Very truly yours,

BROWN & VARNADO LLC



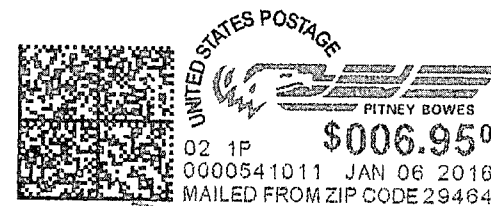
Robert B. Varnado

RBV/qai

Enclosure(s): as stated

cc: Arrigo P. Carotti, Esquire (*Via U.S. Mail*)
Michael W. Battle, Esquire (*Via U.S. Mail*)
Robert G. Eastman, Esquire (*Via U.S. Mail*)

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