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SC Court of Appeals

IN THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM DORCHESTER COUNTY
Court of Common Pleas

Edgar W. Dickson, Circuit Court Judge

Appellate Case No. 2015-002199

Faye P. Croft, Personally and as Trustee of the James A. Croft Trust; James A. Croft Trust; William A. Harbeson; Heyward G. Hutson; James Stephen Greene, Jr., South Carolina Public Interest Foundation; Summerville Preservation Society; and Dorchester County Taxpayers Association, individually, and on behalf of all others similarly situated.....Appellants,

v.

Town of Summerville and Town of Summerville Board of Architectural Review.....Respondents.

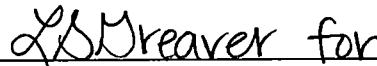
**RESPONDENTS' RETURN
TO APPELLANTS' MOTION TO
EXPAND PAGE LIMITATION**

Respondents respectfully oppose Appellants' request to exceed the 50-page limitation set forth in Rule 208(b)(5), SCACR. A cursory review of Appellants' proposed 67-page Initial Brief reveals dozens of pages dedicated to "facts," complaints and arguments that not only were not raised to the Board of Architectural Review, but similarly were not raised to or ruled upon by the circuit court on appeal of the decision of the Board of Architectural

Review, and thus are matters not properly before this Court. Further, much of the content of Appellants' Initial Brief is not relevant to the present appeal, but rather pertains exclusively to a separate action currently pending in circuit court, where these and other plaintiffs have sued a number of Summerville Town entities seeking to shut down an urban redevelopment project. Additionally, Appellants' Initial Brief is duplicative in many respects, repeating the same or similar arguments throughout multiple sections of the Brief. Finally, and most importantly, 50 pages is more than enough to brief an appeal of a BAR decision.

For these reasons, Respondents respectfully oppose Appellants' request.

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 _____

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Attorneys for Respondents

March 31, 2016

IN THE STATE OF SOUTH CAROLINA
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APPEAL FROM DORCHESTER COUNTY
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v.

Town of Summerville and Town of Summerville Board of Architectural Review.....Respondents.

PROOF OF SERVICE

I certify that on the date indicated below, I served Respondents' Return to Appellants' Motion to Expand Page Limitation, by depositing a copy of it in the United States Mail, postage paid, on March 31, 2016, addressed to all attorneys of record as follows:

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March 31, 2016

APR 04 2016

SC Court of Appeals

File No.: 20150083.000

VIA US MAIL

The Honorable Jenny Abbott Kitchings
South Carolina Court of Appeals
PO Box 11629
Columbia, SC 29211-1629

Re: Faye P. Croft, Personally and as Trustee of the James A. Croft Trust v. Town of
Summerville and Town of Summerville Board of Architectural Review
Case No.: 2015-002199

Dear Ms. Kitchings:

Enclosed please find the original and six (6) copies of Respondents' Return to Appellants' Motion to Expand Page Limitation and Proof of Service regarding the above-referenced case. Please file the originals and return a stamped, filed copy of the documents in the self-addressed, stamped envelope provided for your convenience.

Thank you for your assistance in this matter.

Very truly yours,

CLAWSON and STAUBES, LLC

TAD for

Timothy A. Domin

TAD/paa
Enclosures

cc: W. Andrew Gowder, Esq.
G. Waring Parker, Esq.
Michael T. Rose, Esq.
(All via US Mail & w/enclosures)

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File #: 20150083.000

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South Carolina Court of Appeals
PO Box 11629
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SC Court of Appeals

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