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THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

APPEAL FROM CHARLESTON COUNTY  
Court of Common Pleas

R. Markley Dennis, Jr., Circuit Court Judge

Case No. 2015-002297

**RECEIVED**

APR 26 2016

**SC Court of Appeals**

John Doe, Appellant,

v.

Board of Zoning Appeals (BZA) and Town of Sullivan's Island (S.I.),  
S.I. Zoning Administrator, and S.I. Building Dept., Individually and in  
Official Capacity, Respondents

MOTION TO CORRECT THE RECORD ON APPEAL AND FOR LEAVE TO FILE A  
SUPPLEMENTAL RECORD ON APPEAL

Respondents, Board of Zoning Appeals (BZA) and Town of Sullivan's Island (S.I.),  
S.I. Zoning Administrator, and S.I. Building Dept., Individually and in Official Capacity  
("Respondents"), hereby move to Correct the Record on Appeal and for Leave to File a  
Supplemental Record on Appeal. The following document was included in Respondents'  
Designation of Matter, but omitted from the Record on Appeal filed by Appellant, and  
should be added to the Record on Appeal:

- Notice of Motion and Motion for Sanctions as to Defendants' Counsel, filed on October 14, 2015.

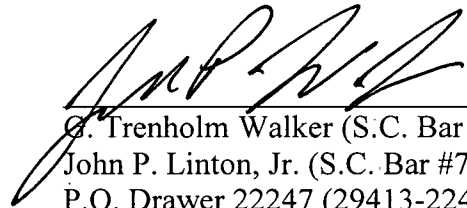
Respondents filed and served their Designation of Matter on February 16, 2016.  
Included as No. 13 in Respondents' Designation of Matter is the omitted document. See

Ex. A. Additionally, Respondents sent correspondence to Appellant on March 22, 2016 with a courtesy copy of each of the items included in Respondents' Designation of Matter. See Ex. B. However, Appellant served a copy of the Record on Appeal, postmarked April 7, 2016, on Respondents, which in violation of Rule 210(c), does not include the Notice of Motion and Motion for Sanctions as to Defendants' Counsel, filed on October 14, 2015, as designated by Respondents.<sup>1</sup>

Therefore, Respondents respectfully request leave to file a Supplemental Record on Appeal, consisting of the omitted document.

Respectfully Submitted,

PRATT-THOMAS WALKER, PA



G. Trenholm Walker (S.C. Bar #5777)  
John P. Linton, Jr. (S.C. Bar #79130)  
P.O. Drawer 22247 (29413-2247)  
16 Charlotte Street  
Charleston, SC 29403  
Phone: (843) 727-2200  
Email: [gtw@p-tw.com](mailto:gtw@p-tw.com); [jpl@p-tw.com](mailto:jpl@p-tw.com)

April 25, 2016  
Charleston, South Carolina

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<sup>1</sup> South Carolina Appellate Court Rule 210(c) requires that the Appellant include in the Record on Appeal "all matter designated to be included by any party."

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John Doe, Appellant,

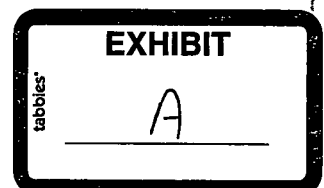
v.

Board of Zoning Appeals (BZA) and Town of Sullivan's Island (S.I.),  
S.I. Zoning Administrator, and S.I. Building Dept., Individually and in  
Official Capacity, Respondents

DESIGNATION OF MATTER TO BE INCLUDED  
IN THE RECORD ON APPEAL

Respondents propose the following to be included in the Record on Appeal:

1. September 2, 2015 hearing transcript
2. Notice of Appeal and Request for Pre-Litigation Mediation, filed February 9, 2015
3. Form 4 Order filed April 10, 2015
4. Order filed April 29, 2015
5. Form 4 Order filed May 6, 2015
6. Form 4 Order filed September 11, 2015
7. Order filed September 23, 2015
8. Order filed September 29, 2015
9. Notice of Motion and Motion to Dismiss (with certificate of service), filed March 9, 2015
10. Memorandum of Law in Support of Motion to Dismiss (with certificate of service), filed April 7, 2015
11. Notice of Motion and Rule 59(e), SCRCP, Motion, filed on May 7, 2015
12. Notice of Motion and Rule 59(e), SCRCP, Motion, filed on June 19, 2015
13. Notice of Motion and Motion for Sanctions as to Defendants' Counsel, filed on October 14, 2015



14. Notice of Motion and Rule 59 (e), SCRPC, Motion, filed on October 21, 2015
15. Notice of Appeal, filed at the Court of Appeals November 5, 2015
16. Correspondence dated April 30, 2015, copy filed September 30, 2015 (with certificate of service)

Pursuant to Rule 209(c), SCACR, I certify that this designation contains no matter which is irrelevant to this appeal.

Respectfully Submitted,

PRATT-THOMAS WALKER, PA



G. Trenholm Walker (S.C. Bar #5777)  
John P. Linton, Jr. (S.C. Bar #79130)  
P.O. Drawer 22247 (29413-2247)  
16 Charlotte Street  
Charleston, SC 29403  
Phone: (843) 727-2200  
Email: [gtw@p-tw.com](mailto:gtw@p-tw.com); [jpl@p-tw.com](mailto:jpl@p-tw.com)

February 16, 2016  
Charleston, South Carolina

**PRATT-THOMAS | WALKER**

ATTORNEYS AT LAW  
PROFESSIONAL ASSOCIATION

16 CHARLOTTE STREET  
CHARLESTON, SC 29403  
PO DRAWER 22247  
CHARLESTON, SC 29413-2247

PHONE: 843.727.2200  
FAX: 843.727.2238

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JOHN P. LINTON, JR.  
Email: jpl@p-tw.com  
Direct: (843) 727-2252

March 22, 2016

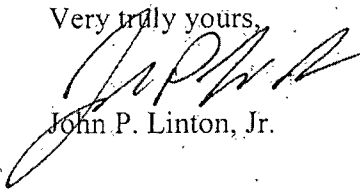
Dr. Cynthia Holmes  
Post Office Box 187  
2061 Middle Street  
Sullivan's Island, SC 29482-0187

Re: John Doe, Appellant, v. Board of Zoning Appeals (BZA) and Town of Sullivan's Island (S.I.), S.I. Zoning Administrator, and S.I. Building Dept., Individually and in Official Capacity, Respondents  
Appellate Case No. 2015-002297

Dear Dr. Holmes:

Please find enclosed a copy of each of the items included in Respondents' Designation of Matter to be Included in the Record on Appeal. If everything is in order I would appreciate you including these items in the Record on Appeal. If you have any questions, please contact me before you file and serve the Record on Appeal.

Very truly yours,

  
John P. Linton, Jr.

JPL/cam  
Enclosures

EXHIBIT

B

tabbies

CERTIFICATE OF SERVICE

I hereby certify that I have served correspondence dated March 22, 2016 from John P. Linton, Jr. to Dr. Cynthia Holmes and true copies of the Respondents' Documents for Record on Appeal as set forth in Respondents' Designation of Matter by first class mail to the below-listed party on March 22, 2016:

John Doe  
C. Holmes  
P.O. Box 187  
2061 Middle Street  
Sullivan's Island, SC 29482-0187

**RECEIVED**

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**SC Court of Appeals**

By: *Chris Morrow*  
Chris Morrow  
Paralegal to John P. Linton, Jr.

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PROOF OF SERVICE

I certify that I served the Appellant, John Doe, with Respondents' Motion to Correct the Record on Appeal and for Leave to File a Supplemental Record on Appeal by United States Mail on April 25, 2016 to the following:

John Doe  
C. Holmes  
P.O. Box 187  
2061 Middle Street  
Sullivan's Island, SC 29482-0187

*Christine Morrow*

Christine Morrow  
Paralegal to John P. Linton, Jr.  
Pratt-Thomas Walker, PA  
P.O. Drawer 22247 (29413-2247)  
16 Charlotte Street  
Charleston, SC 29403

April 25, 2016  
Charleston, South Carolina

**PRATT-THOMAS | WALKER**

ATTORNEYS AT LAW  
PROFESSIONAL ASSOCIATION

16 CHARLOTTE STREET  
CHARLESTON, SC 29403

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PHONE: 843.727.2200  
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JOHN P. LINTON, JR.

Email: [jpl@p-tw.com](mailto:jpl@p-tw.com)

Direct: (843) 727-2252

April 25, 2016

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

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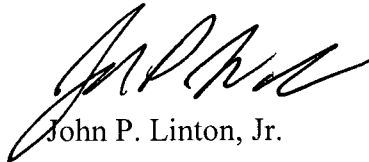
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Appellate Case No. 2015-002297

Dear Ms. Kitchings:

Enclosed please find the original and six copies of the Motion to Correct the Record on Appeal and for Leave to File a Supplemental Record on Appeal and Proof of Service. In the event the Motion to Correct the Record on Appeal for Leave to File a Supplemental Record on Appeal is granted, I have enclosed the original and fourteen copies of the Supplemental Record on Appeal, Certificate of Counsel, and Proof of Service in the above referenced matter.

Thank you for your assistance.

Sincerely,  
PRATT-THOMAS WALKER, P.A.



John P. Linton, Jr.

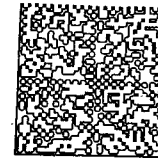
JPL/cam  
Enclosures  
C: John Doe (w/encl.)  
C. Holmes  
P.O. Box 187  
2061 Middle Street  
Sullivan's Island, SC 29482

**PRATT-THOMAS | WALKER**

ATTORNEYS AT LAW  
PROFESSIONAL ASSOCIATION

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CHARLESTON, SC 29403

PO DRAWER 22247  
CHARLESTON, SC 29413-2247



UNITED STATES POSTAGE



PITNEY BOWES

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**SC Court of Appeals**

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