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THE STATE OF SOUTH CAROLINA

In The Court of Appeals

RECEIVED

APPEAL FROM THE ADMINISTRATIVE LAW COURT

JUN 20 2016

Honorable H. W. Funderburk, Jr., Administrative Law Judge
Case No.: 2015-002255

SC Court of Appeals

Tommy J. BellamyAppellant

vs.

Horry County Assessor.....Respondent

**MOTION TO DISMISS APPEAL FOR FAILURE TO COMPLY
WITH THE SOUTH CAROLINA APPELLATE COURT RULES, OR
IN THE ALTERNATIVE, TO REQUIRE APPELLANT TO CORRECT THE
RECORD ON APPEAL BY INCLUDING ALL DESIGNATED MATTER**

Emma Ruth Brittain, Esquire
S.C. Bar No. 5298
THOMAS & BRITTAİN, P.A.
1314 Professional Drive
Post Office Box 1290
Myrtle Beach, South Carolina 29578
Telephone: (843) 692-2628
Facsimile: (843) 692-0928
E-mail: erbrittain@myrlaw.com
Attorneys for Respondent

June 16, 2016

The Respondent, Horry County Assessor, respectfully moves the Court for an order either dismissing Appellant's appeal in this matter for failure to comply with the South Carolina Appellate Court Rules ("SCACR") or, in the alternative, requiring Appellant to include all matters designated by Respondent in the Record on Appeal ("Record"). Appellant has failed to include items designated by Respondent's counsel for inclusion in the Record on Appeal; additionally, Appellant has included incomplete documents designated by Respondent in the Record on Appeal. The grounds for this motion are set forth in further detail below.

Respondent served its Designation of Matter on the *pro se* Appellant on May 6, 2016, by placing a copy of it in the United States mail. (See Attachment "A"). On May 18, 2016, Appellant filed with the Court a Record on Appeal that contains only seven of the sixteen items designated by Respondent in its Designation of Matter. Moreover, of the seven items designated by Respondent that Appellant included in the Record, three items were incomplete in that they did not contain all of the pages and/or the attachments of the designated documents.

On May 19, 2016, in response to Respondent's failure to include all matters designated by it, Respondent Horry County filed a Motion for Extension of Time to File Final Brief, based on the fact that Appellant had failed to file a complete Record on Appeal in accordance with Rule 210(c), SCACR, requesting that the Court dismiss the appeal or, in the alternative, order Appellant to correct the deficiencies in the Record on Appeal. As of this date, Appellant has not filed a corrected Record on Appeal.

On June 7, 2016, Respondent's counsel received a copy of the Final Brief of Appellant with an undated letter to Jenny Abbott Kitchings, Clerk for the South Carolina Court of Appeals, in which Appellant attempted to correct some of the deficiencies in the Record on Appeal by placing his exhibits in the "Final Brief," with a request to the Clerk to "Please add to Record on

Appeal in the perspective place.” Appellant has failed to comply with Rule 211(b), SCACR, in that Appellant has revised his brief to include exhibits within its Final Brief, and has failed to file a corrected Record on Appeal. Rule 211(b) states “The final brief(s) shall be identical to the brief(s) previously served under Rule 208...” with the exception of revisions to references to the Record on Appeal.

On June 14, 2016, Respondent’s counsel received an envelope in the mail from Appellant, postmarked June 13, 2016, containing only the Record on Appeals title page and a Certificate of Counsel dated June 11, 2016. No letter or Proof of Service was included with these two documents nor was a corrected Record on Appeal received.¹ (See Attachment “B”).

Accordingly, Appellant has failed to correct the Record on Appeal in accordance with Rule 210(c) in that Appellant failed to include all of the items omitted from the Respondent’s Designation of Matter and has failed to supplement the incomplete items. The following is a list of the items designated by Respondent that remain omitted from the Record on Appeal:

Items Designated by Respondent Omitted from the Record on Appeal:

1. Notice of Appeal
2. Order Denying Mr. Bellamy’s Motion for Reconsideration dated October 23, 2015
3. Motion to Reconsider - Letter from Tommy Bellamy to Administrative Law Court requesting reconsideration of the Order of Dismissal. *(This item was attached to Appellant’s Final Brief; however, it was not included in the Record on Appeal or properly paginated).*
4. Order of Dismissal dated October 16, 2015
5. Notice of Intent to Appeal and Request for a Contested Case Hearing with Administrative Law Judge
6. Request for Appeal to the Horry County Board of Assessment Appeals received May 12, 2015. *(This item was attached to Appellant’s Final Brief; however, it was not included in the Record on Appeal or properly paginated).*
7. Request for Refund from Tommy J. Bellamy Submitted March 20, 2015
8. Deed to Tommy J. Bellamy dated February 10, 2010, recorded March 4, 2010, in Deed Book 3448, Page 3341

¹ The Court of Appeal’s Case Management System reflects the Certificate of Counsel for the Record on Appeal was corrected on June 14, 2016.

9. Deed to Tommy J. Bellamy dated January 3, 2007, recorded January 9, 2007, in Deed Book 3211, Page 1979
10. Deed to BCFUND, LLC dated October 4, 2007. (*This item was attached to Appellant's Final Brief; however, it was not included in the Record on Appeal or properly paginated*).

The following is a list of items designated by Respondent with incomplete submissions in

Record on Appeal:

1. Letter from Dana B. Fogner to Tommy Bellamy dated October 8, 2014
2. Letter from Tommy Bellamy, BC Fund LLC to Horry County Assessor's Office dated March 3, 2010

Rule 210(c), SCACR, provides: "The Record on Appeal shall include all matter designated to be included by any party under Rule 209 and shall comply with the requirements of Rule 267." It is clear from these filings that Appellant has, again, failed to comply with the South Carolina Appellate Court Rules. This is not an isolated deficiency. A brief review of issues related to Appellant's failure to comply with the Appellate Court Rules reveals the following:

1. On December 8, 2015, Jenny Abbott Kitchings, Clerk for the South Carolina Court of Appeals, corresponded with Appellant regarding his failure to timely file an Initial Brief and Designation of Matter. (See Attachment "C").

2. On December 17, 2015, Jenny Abbott Kitchings, Clerk for the South Carolina Court of Appeals, corresponded with Appellant regarding a deficiency noted in that the Initial Brief was improperly paginated; additionally, a list of exhibits was attached to the Initial Brief, and to which Ms. Kitchings stated: "These documents are being returned to you. Your brief may only contain what is allowed in Rule 208(b), SCACR." (See Attachment "D").

3. On December 17, 2015, Jenny Abbott Kitchings, Clerk for the South Carolina Court of Appeals, corresponded with Appellant noting another deficiency in that the required

filing fee had not been submitted with Appellant's Motion to file his Initial Brief and Designation of Matter Out of Time. (See Attachment "E").

4. On December 29, 2015, the South Carolina Court of Appeals, Deputy Clerk, V. Claire Allen, corresponded with Appellant and informed him that the Court had received the Record on Appeal but it was premature and being returned because he had not yet served and filed an Initial Brief and Designation of Matter in accordance with Rule 210(a), SCACR. (See Attachment "F").

5. By Order dated January 7, 2016, V. Claire Allen, Deputy Clerk for the South Carolina Court of Appeals, dismissed Appellant's Appeal for failure to file an Initial Brief that was properly paginated as required by Rule 208, SCACR, and the Court's letter of December 17, 2015. (See Attachment "G").

6. On January 13, 2016, Appellant filed a Motion for Reinstatement and an Amended Initial Brief and the Motion was granted on March 1, 2016. On January 14, 2016, however, V. Claire Allen, Deputy Clerk for the South Carolina Court of Appeals notified Appellant of a deficiency in that Appellant's Initial Brief had not been signed as required by Rule 267(b), SCACR. (See Attachment "H").

7. On June 6, 2016, V. Claire Allen, Deputy Clerk for the South Carolina Court of Appeals notified Appellant of deficiencies with the Record on Appeal in that the Record was not accompanied by the required certificate of counsel and the attorneys of record were not listed on the Record on Appeal's cover page. (See Attachment "I").

8. On June 14, 2016, V. Claire Allen, Deputy Clerk for the South Carolina Court of Appeals notified Appellant of deficiencies with the Appellant's Final Brief in that the brief is not accompanied by a required certificate of counsel and pursuant to Rule 211(b), SCACR, the final

brief shall be identical to the brief previously served. (See Attachment “J”).

Rule 210, SCACR, is unequivocal in its requirement that “[t]he Record on Appeal shall include all matter designated to be included by any party under Rule 209 and shall comply with the requirements of Rule 267 [SCACR]. Moreover, it is well established that “[a] *pro se* litigant who knowingly elects to represent himself assumes full responsibility for complying with substantive and procedural requirements of the law.” State v. Burton, 356 S.C. 259, 265, n.5, 589 S.E.2d 6, 9 n.5 (2003).² Moreover, “the South Carolina Appellate Court Rules are not mere technicalities but provide the parties and this Court with an orderly mechanism through which to guide appeals in this State. It is incumbent upon counsel to provide material that complies with the Rules and facilitates appellate review.” Henning v. Kaye, 307 S.C. 436, 437, 415 S.E.2d 794 (1992).

In this matter, Appellant has failed to include all matters designated in the Record on Appeal. Further, Appellant has included designated exhibits that were omitted from the Record on Appeal as part of his Final Brief and has forwarded correspondence to the Court requesting that the materials be added by the Court to the Record on Appeal “in the perspective place.” (See Attachment “K”). Appellant, although provided with notice of the governing SCACR requirements, has repeatedly failed to comply with the requirements of the Rules. His most recent effort to supplement the Record on Appeal by including some of the omitted documents in his Final Brief is a violation of Rule 210(c), SCACR as well as Rule 211(b), SCACR. Moreover, for the second time, he has failed to include the matter designated by Respondent, a repeated violation of Rule 210(c). Rule 210(g) requires that “Appellant or his counsel shall certify that

² In a letter of November 4, 2015, the Court advised the Respondent of the requirement that all briefs filed with the Court must comply with Rule 267, SCACR, and advised him of the website upon which he could locate the information online.

the Record on Appeal contains all material proposed to be included by any of the parties and not any other materials.”

Additionally, Appellant states in his undated letter to Ms. Kitchings, regarding his inclusion of certain exhibits to his Final Brief, that a copy of the “Final Brief” and the Exhibits will be mailed to Respondent. The Proof of Service attached to the Final Brief of Appellant states “...I will serve this Final Initial Brief to the Respondent addressed below by depositing a copy in US Mail with return receipt this date 14th of May 2016.” (See Attachment “L”). The envelope containing the letter and Final Brief of Appellant was received by Respondent’s counsel in an envelope postmarked June 6, 2016, which is twenty-three days after Appellant signed the Proof of Service. (See Attachment “M”). Moreover, the Proof of Service for the initial Record on Appeal, indicates the Record on Appeal was served on May 13, 2016. The envelope in which the Record on Appeal was received by Respondent’s counsel is postmarked May 16, 2016, three days after the Proof of Service was signed. (See Attachment “N”). The postmarks on the envelopes appear to indicate that service has not been made on the actual dates attested to by Appellant, thereby interfering with the Court and Respondent’s calculated due dates.

Based on the above, Respondent Horry County Assessor respectfully requests the Court to dismiss the appeal, or, in the alternative, require Appellant to comply with the South Carolina Rules of Appellate Procedure pertaining to the Record on Appeal, and pertaining to service.

Respectfully submitted,



Emma Ruth Brittain, Esquire
S.C. Bar No. 5298
THOMAS & BRITTAIN, P.A.
1314 Professional Drive

June 16, 2016

Post Office Box 1290
Myrtle Beach, South Carolina 29578
Telephone: (843) 692-2628
Facsimile: (843) 692-0928
E-mail: erbrittain@myrlaw.com
Attorneys for Respondent

Attachment A

THE STATE OF SOUTH CAROLINA

In The Court of Appeals

RECEIVED
MAY 11 2015
SC Court of Appeals

APPEAL FROM THE ADMINISTRATIVE LAW COURT

Honorable H. W. Funderburk, Jr., Administrative Law Judge
Case No.: 2015-002255

Tommy J. BellamyAppellant

vs.

Horry County Assessor.....Respondent

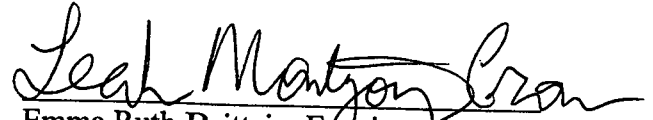
**RESPONDENT'S DESIGNATION OF MATTER
TO BE INCLUDED IN THE RECORD ON APPEAL**

The Respondent proposes the following be included in the Record on Appeal:

1. Notice of Appeal
2. Order Denying Mr. Bellamy's Motion for Reconsideration dated October 23, 2015
3. Motion to Reconsider - Letter from Tommy Bellamy to Administrative Law Court requesting reconsideration of the Order of Dismissal
4. Order of Dismissal dated October 16, 2015
5. Notice of Intent to Appeal and Request for a Contested Case Hearing with Administrative Law Judge
6. Decision of Horry County Board of Assessment Appeals letter dated September 4, 2015
7. Request for Appeal to the Horry County Board of Assessment Appeals received May 12, 2015
8. Order of Horry County Property Tax Penalty Appeals Board dated April 14, 2015
9. Request for Refund from Tommy J. Bellamy Submitted March 20, 2015
10. Letter from Dana B. Fogner to Tommy Bellamy dated October 8, 2014
11. Delinquent Tax Department Redemption Form and Copy of Check to Horry County Delinquent Tax Collector dated December 7, 2010
12. Deed dated February 10, 2010, recorded March 4, 2010, in Deed Book 3448, Page 3341
13. Letter from Tommy Bellamy, BC Fund LLC to Horry County Assessor's Office dated March 3, 2010, with attached letters to Taxpayer and Real Property Owner(s)

14. Letter from Mark A. Brunty to Horry County Assessor's Office dated March 2, 2010
15. Deed to BCFUND, LLC dated October 4, 2007, recorded October 9, 2007, in Deed Book 3282, Page 2931
16. Deed to Tommy J. Bellamy dated January 3, 2007, recorded January 9, 2007, in Deed Book 3211, Page 1979

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



Emma Ruth Brittain, Esquire

S.C. Bar No. 5298

Leah Montgomery Cromer, Esquire

S.C. Bar No. 100700

THOMAS & BRITTAİN, P.A.

1314 Professional Drive

Post Office Box 1290

Myrtle Beach, South Carolina 29578

Telephone: (843) 692-2628

Facsimile: (843) 692-0928

E-mail: erbrittain@myrlaw.com

Attorneys for Respondent

May 6, 2016

IN THE STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

APPEAL FROM THE STATE OF SOUTH CAROLINA
ADMINISTRATIVE LAW COURT

Honorable H. W. Funderburk, Jr., Administrative Law Judge

Docket No.: 15-ALJ-17-0462-CC

RECEIVED
MAY 11 2016
SC Court of Appeals

Tommy J. Bellamy.....Appellant

vs.

Horry County Assessor.....Respondent

PROOF OF SERVICE

I certify that I have served the Designation of Matter by depositing a copy of it in the United States mail, postage prepaid, on May 6, 2016, addressed to the *pro se* Appellant as follows:

Tommy J. Bellamy
3684 Sea Mountain Highway
Little River, South Carolina 29566

Kimberly W. Nobles
Kimberly W. Nobles
Thomas & Brittain, P.A.
Post Office Box 1290 (zip 29578)
1314 Professional Drive (zip 29577)
Myrtle Beach, South Carolina
Telephone: 843-692-2628
Fax: 843-692-0928

May 6, 2016

Attachment B

RECEIVED
6-14-16

FORM 15
RECORD ON APPEAL

THE STATE OF SOUTH CAROLINA

In the Court of Appeals

APPEAL FROM HORRY COUNTY

Case No. 2015-002255

Tommy J Bellamy-----, Appellant

v.

Horry County Assessor-----, Respondent

RECORD ON APPEALS

Tommy J. Bellamy
Attorney Pro se
3684 Sea Mountain Highway
Little River, South Carolina 29566
843 457-3625 Attorney for Appellant

Attorneys for Respondent:

Arrigo Paul Carotti, Esquire
Horry County Attorney' Office
1301 Second Avenue
Conway, South Carolina 29526 843 915-5040

Emma Ruth Brittain, Attorney At Law
1314 Professional Drive
Myrtle Beach, South Carolina 29577 843 692-2628

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6-14-16

FORM 16

CERTIFICATE OF COUNSEL

THE STATE OF SOUTH CAROLINA

In The Court of Appeals

APPEAL FROM HORRY COUNTY

Case No. 2015-002255

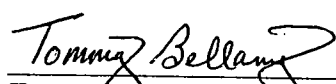
Tommy J Bellamy-----, Appellant

v.

Horry County Assessor-----, Respondent

CERTIFICATE OF COUNSEL

The undersigned certified that this Final Brief complies with Rule 211(b), SCACR.
June 11, 2016



Tommy J Bellamy, Attorney Pro se
3684 Sea Mountain Highway,
Little River, South Carolina 29566
843 457-3625
Attorney Pro se for the Appellant

Tommy J Bellamy
3684 Sea Mountain Highway
Little River, SC
29566

CERTIFIED MAIL



7015 0920 0001 9133 1255

Emma Brittain Atty at Law
1314 Professional dr.
Myrtle Beach, SC.

29577



1000



29577

R23039102205-08

\$6.00

U.S. POSTAGE
PAID
MYRTLE BEACH, SC
JUN 13 19
AMOUNT



Attachment C



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12-10-15

The South Carolina Court of Appeals

JENNY ABBOTT KITCHINGS
CLERK

V. CLAIRE ALLEN
DEPUTY CLERK

POST OFFICE BOX 11629
COLUMBIA, SOUTH CAROLINA 29211
1220 SENATE STREET
COLUMBIA, SOUTH CAROLINA 29201
TELEPHONE: (803) 734-1890
FAX: (803) 734-1839
www.sccourts.org

December 08, 2015

Tommy J. Bellamy
3684 Sea Mountain Highway
Little River SC 29566

Re: Tommy Bellamy v. Horry County Assessor
Appellate Case No. 2015-002255

Dear Mr. Bellamy:

Our records reflect your appellant's initial brief and designation of matter should have been filed with the Court. Within ten days of the date of this letter, you must file your appellant's initial brief and designation of matter along with a motion requesting permission to file the document out-of-time. Your appeal will be dismissed if no motion is made within ten days of the date of this letter.

Very truly yours,

A handwritten signature in black ink, appearing to read "Jenny A. Kitchings".

CLERK

cc: Arrigo Paul Carotti, Esquire
Emma Ruth Brittain, Esquire

Attachment D



RECEIVED
12-21-15

The South Carolina Court of Appeals

JENNY ABBOTT KITCHINGS
CLERK

V. CLAIRE ALLEN
DEPUTY CLERK

POST OFFICE BOX 11629
COLUMBIA, SOUTH CAROLINA 29211
1220 SENATE STREET
COLUMBIA, SOUTH CAROLINA 29201
TELEPHONE: (803) 734-1890
FAX: (803) 734-1839
www.sccourts.org

December 17, 2015

Tommy J. Bellamy
3684 Sea Mountain Highway
Little River SC 29566

Re: Tommy Bellamy v. Horry County Assessor
Appellate Case No. 2015-002255

Dear Mr. Bellamy:

Upon reviewing your appellant's initial brief, the following deficiency has been noted under the South Carolina Appellate Court Rules (SCACR), and any deficiency must be corrected within ten (10) days of the date of this letter or your appeal will be dismissed:

- The document is improperly paginated. Specifically, each page must be numbered.

Additionally, a list of exhibits was attached to your initial brief. These documents are being returned to you. Your brief may only contain what is allowed in Rule 208(b), SCACR.

Very truly yours,

A handwritten signature in black ink that reads "Jay A. Kitchings".

CLERK

cc: Arrigo Paul Carotti, Esquire
Emma Ruth Brittain, Esquire

Attachment E



RECEIVED
12-21-15

The South Carolina Court of Appeals

JENNY ABBOTT KITCHINGS
CLERK

V. CLAIRE ALLEN
DEPUTY CLERK

POST OFFICE BOX 11629
COLUMBIA, SOUTH CAROLINA 29211
1220 SENATE STREET
COLUMBIA, SOUTH CAROLINA 29201
TELEPHONE: (803) 734-1890
FAX: (803) 734-1839
www.sccourts.org

December 17, 2015

Tommy J. Bellamy
3684 Sea Mountain Highway
Little River SC 29566

Re: Tommy Bellamy v. Horry County Assessor
Appellate Case No. 2015-002255

Dear Mr. Bellamy:

Upon reviewing your motion to file your appellant's initial brief and designation of matter out-of-time, the following deficiency has been noted under the South Carolina Appellate Court Rules (SCACR), and any deficiency must be corrected within ten (10) days of the date of this letter or your motion will not be considered:

- The required filing fee has not been submitted. The correct filing fee is \$25.00.

Very truly yours,

A handwritten signature in cursive script, appearing to read "Jenny A. Kitchings".

CLERK

cc: Arrigo Paul Carotti, Esquire
Emma Ruth Brittain, Esquire

Attachment F



The South Carolina Court of Appeals

JENNY ABBOTT KITCHINGS
CLERK

V. CLAIRE ALLEN
DEPUTY CLERK

POST OFFICE BOX 11629
COLUMBIA, SOUTH CAROLINA 29211
1220 SENATE STREET
COLUMBIA, SOUTH CAROLINA 29201
TELEPHONE: (803) 734-1890
FAX: (803) 734-1839
www.sccourts.org

December 29, 2015

Tommy J. Bellamy
3684 Sea Mountain Highway
Little River SC 29566

Re: Tommy Bellamy v. Horry County Assessor
Appellate Case No. 2015-002255

Dear Mr. Bellamy:

The Court has received your record on appeal. This document is premature and is being returned to you. The respondent has not yet served and filed an initial brief and designation of matter. Please see Rule 210(a), SCACR for the time for service of the record on appeal. Please see Rule 210(c), SCACR, for the content of the record on appeal.

Very truly yours,

V. Claire Allen, Deputy

CLERK

cc: Arrigo Paul Carotti, Esquire
Emma Ruth Brittain, Esquire

Attachment G

The South Carolina Court of Appeals

Tommy J. Bellamy, Appellant,

v.

Horry County Assessor, Respondent.

Appellate Case No. 2015-002255

The Honorable Harold W. Funderburk, Jr.
Trial Court Case No. 2015ALJ170462CC

ORDER

Appellant has failed to file an initial brief that is properly paginated, as required by Rule 208 of the South Carolina Appellate Court Rules, and this Court's letter dated December 17, 2015. Accordingly, this matter is dismissed. The remittitur will be sent as provided by Rule 221(b), SCACR.

FOR THE COURT

BY V. Claire Allen, Deputy
CLERK

Columbia, South Carolina

cc:

Tommy J. Bellamy
Arrigo Paul Carotti, Esquire
Emma Ruth Brittain, Esquire

FILED

CS 01-07-2016

Attachment H



RECEIVED

FEB 08 2016

SC Court of Appeals

The South Carolina Court of Appeals RECEIVED
2-16-16

JENNY ABBOTT KITCHINGS
CLERK

V. CLAIRE ALLEN
DEPUTY CLERK

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COLUMBIA, SOUTH CAROLINA 29211
1220 SENATE STREET
COLUMBIA, SOUTH CAROLINA 29201
TELEPHONE: (803) 734-1890
FAX: (803) 734-1839
www.sccourts.org

January 14, 2016

Tommy J. Bellamy
3684 Sea Mountain Highway
Little River SC 29566

Re: Tommy Bellamy v. Horry County Assessor
Appellate Case No. 2015-002255

Dear Mr. Bellamy:

Upon reviewing your appellant's initial brief, the following deficiency has been noted under the South Carolina Appellate Court Rules (SCACR), and any deficiency must be corrected within ten (10) days of the date of this letter:

- The document has not been signed as required by Rule 267(b), SCACR.

Very truly yours,

V. Claire Allen, Deputy

CLERK

cc: Arrigo Paul Carotti, Esquire
Emma Ruth Brittain, Esquire

Attachment I



RECEIVED
6-8-16

The South Carolina Court of Appeals

JENNY ABBOTT KITCHINGS
CLERK

V. CLAIRE ALLEN
DEPUTY CLERK

POST OFFICE BOX 11629
COLUMBIA, SOUTH CAROLINA 29211
1220 SENATE STREET
COLUMBIA, SOUTH CAROLINA 29201
TELEPHONE: (803) 734-1890
FAX: (803) 734-1839
www.sccourts.org

June 06, 2016

Tommy J. Bellamy
3684 Sea Mountain Highway
Little River SC 29566

Re: Tommy Bellamy v. Horry County Assessor
Appellate Case No. 2015-002255

Dear Mr. Bellamy:

Upon reviewing your record on appeal, the following deficiency or deficiencies have been noted under the South Carolina Appellate Court Rules (SCACR), and any deficiency must be corrected within ten (10) days of the date of this letter:

- The document is not accompanied by the required certificate of counsel.
- The name, address, and phone number of all counsel must appear on the cover of the record on appeal, pursuant to Rule 267(a), SCACR. Specifically, Arrigo Paul Carotti and Emma Ruth Brittain were not listed as counsel of record for the respondent.

Very truly yours,

V. Claire Allen, Deputy

CLERK

cc: Arrigo Paul Carotti, Esquire
Emma Ruth Brittain, Esquire

Attachment J



RECEIVED
6-16-16

The South Carolina Court of Appeals

JENNY ABBOTT KITCHINGS
CLERK

V. CLAIRE ALLEN
DEPUTY CLERK

POST OFFICE BOX 11629
COLUMBIA, SOUTH CAROLINA 29211
1220 SENATE STREET
COLUMBIA, SOUTH CAROLINA 29201
TELEPHONE: (803) 734-1890
FAX: (803) 734-1839
www.sccourts.org

June 14, 2016

Tommy J. Bellamy
3684 Sea Mountain Highway
Little River SC 29566

Re: Tommy Bellamy v. Horry County Assessor
Appellate Case No. 2015-002255

Dear Counsel:

Upon reviewing your appellant's final brief, the following deficiency or deficiencies have been noted under the South Carolina Appellate Court Rules (SCACR), and any deficiency must be corrected within ten (10) days of the date of this letter:

- The document is not accompanied by the required certificate of counsel.
- Pursuant to Rule 211 (b), SCACR, "The final brief(s) shall be identical to the brief(s) previously served under Rule 208." You must file a motion specifying where the changes are in your final brief.

Very truly yours,

V. Claire Allen, Deputy

CLERK

cc: Arrigo Paul Carotti, Esquire
Emma Ruth Brittain, Esquire

Attachment K

RECEIVED
0-7-16

Tommy Bellamy
3684 Sea Mountain Highway
Little River, S.C. 29566

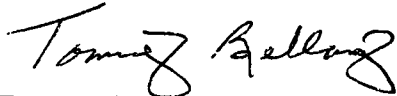
Jenny Abbott Kitchings, Clerk
P.O. Box 11629
Columbia, S.C. 29211
1220 Senate Street
Columbia, S.C. 29201

Re: Tommy J. Bellamy v. Horry County Assessor
Appellate Case No. 2015-002255

Dear Ms. Kitchings:

Please see enclosed a copy of Final Brief of Appellant and respondent's request for clarification of exhibits: Exhibit 2(Tommy J. Bellamy appeal to Administrative Law Judge), Exhibit 3(full copy of Quitclaim Deed of Tommy J. Bellamy to LLC) and Exhibit 7(Tommy J. Bellamy request for appeal (2015)). These exhibits were a part of the Initial Brief and Record on Appeal, but were left out in error. They are added on Final Brief. Please add to Record on Appeal in the perspective place. A copy of this Final Brief and Exhibits will be mailed to respondent.

Thank you,



Tommy J. Bellamy

Attachment L

APPEAL FROM HORRY COUNTY

Case No. 2015-002255

RECEIVED

JUN 07 2016

SC Court of Appeals

Tommy J. Bellamy-----Appellant

v

Horry County Assessor -----Respondent

PROOF OF SERVICE

I Tommy Bellamy certify in front of Notary that I will serve this Final Initial Brief to the Respondent addressed below by depositing a copy in US Mail with return receipt this date 14th of May 2016

Tommy Bellamy
Tommy Bellamy, Attorney Pro se

Thomas & Brittain, P.A.
Attorney at Law
1314 Professional Drive
Myrtle Beach, South Carolina, 29577



Taneisha Gore
acknowledged before me on
May 14th, 2016

Attachment M

PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT OF THE RETURN ADDRESS. FOLD AT DOTTED LINE

CERTIFIED MAIL®

PRESS FIRMLY TO



7015 3010 0001 2148 4856



1024



29577

U.S. POSTAGE
PAID
LITTLE RIVER, SC
29566
JUN 06 16
AMOUNT
\$6.00
R2304H107604-03



**PRIORITY®
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DATE OF DELIVERY SPECIFIED

**RETURN RECEIPT
REQUESTED**



USPS TRACKING™ INCLUDED*



INSURANCE INCLUDED*



PICKUP AVAILABLE

* Domestic only

**PRIORITY®
★ MAIL ★**



VISIT US AT USPS.COM®
ORDER FREE SUPPLIES ONLINE

FROM: *Tommy Bellamy*
3684 Sea Mountain Highway
Little River, SC 29566

TO: *Thomas e Brittian P.A.*
Attorney At Law
1314 Professional Drive
Myrtle Beach, SC 29577

Label 228, July 2013

FOR DOMESTIC AND INTERNATIONAL USE

USED INTERNATIONALLY,
CUSTOMS DECLARATION
FORM MAY BE REQUIRED.



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29582
MAY 18, 1988
AMOUNT
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IN THE STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

APPEAL FROM THE STATE OF SOUTH CAROLINA
ADMINISTRATIVE LAW COURT

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JUN 20 2016
SC Court of Appeals

Honorable H. W. Funderburk, Jr., Administrative Law Judge

Docket No.: 15-ALJ-17-0462-CC

Tommy J. Bellamy..... Appellant

vs.

Horry County Assessor..... Respondent

PROOF OF SERVICE

I certify that I have served the Motion to Dismiss Appeal for Failure to Comply with the South Carolina Appellate Court Rules, or in the Alternative, to Require Appellant to Correct the Record on Appeal by Including all Designated Matter by depositing a copy of it in the United States mail, postage prepaid, on June 16, 2016, addressed to the *pro se* Appellant as follows:

Tommy J. Bellamy
3684 Sea Mountain Highway
Little River, South Carolina 29566

And a copy served on:

Arrigo P. Carotti, Esquire
Horry County Attorney
Post Office Box 1236
Conway, South Carolina 29528

Kimberly W. Nobles

Kimberly W. Nobles

Thomas & Brittain, P.A.

Post Office Box 1290 (zip 29578)

1314 Professional Drive (zip 29577)

Myrtle Beach, South Carolina

Telephone: 843-692-2628

Fax: 843-692-0928

June 16, 2016

THOMAS & BRITTAIN, P.A.

ATTORNEYS AT LAW

1314 PROFESSIONAL DRIVE
MYRTLE BEACH, SOUTH CAROLINA 29577

TELEPHONE (843) 692-2628

FACSIMILE (843) 692-0928

EMMA RUTH BRITTAIN*
ERBrittain@MYRlaw.com

*CERTIFIED EMPLOYMENT
& LABOR LAW SPECIALIST

MAILING ADDRESS:
POST OFFICE BOX 1290
MYRTLE BEACH, SC 29578

June 16, 2016

Via Fax Transmission and U.S. Mail

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

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JUN 20 2016

SC Court of Appeals

Re: Tommy Bellamy v. Horry County Assessor
Appellate Case No. 2015-002255

Dear Ms. Kitchings:

Our firm represents the Horry County Assessor in the above-referenced matter. Please find enclosed for filing the original and seven (7) copies of Respondent Horry County Assessor's Motion to Dismiss Appeal for Failure to Comply with the South Carolina Appellate Court Rules, or in the Alternative, to Require Appellant to Correct the Record on Appeal by Including All Designated Matter. Also enclosed is our filing fee in the amount of \$25.00.

Please do not hesitate to contact our office if you have any questions.

Sincerely yours,

THOMAS & BRITTAIN, P.A.

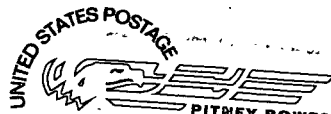
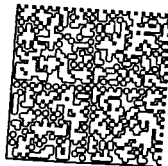


Emma Ruth Brittain

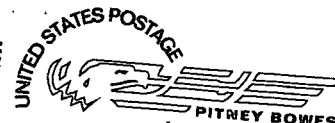
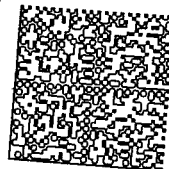
ERB/kwn

Enclosures

cc: Mr. Tommy J. Bellamy
Arrigo P. Carotti, Esquire, Horry County Attorney



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EMMA RUTH BRITTAIN
THOMAS & BRITTAIN, P.A.
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TO:

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