

The South Carolina Court of Appeals

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.

Appellate Case No. 2015-002199

ORDER

Respondents have filed a motion to strike items 5 and 12 from Appellants' designation of matter, arguing the items were not presented to the lower court. Appellants filed a return, and Respondents filed a reply.

After careful consideration, Respondents' motion is granted. Items 5 and 12 shall not be included in the record on appeal. Further, within twenty days of this order, Appellants shall serve and file an amended initial brief which excludes all references to the stricken matters.


FOR THE COURT

Columbia, South Carolina

FILED

November 22, 2016

cc:

W. Andrew Gowder, Jr., Esquire

Michael T. Rose, Esquire

Timothy Alan Domin, Esquire

Laura Simons Greaver, Esquire

G. Waring Parker, Esquire