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THE STATE OF SOUTH CAROLINA
In the Court of Appeals

RECEIVED

NOV 28 2016

APPEAL FROM CHARLESTON COUNTY
Court of Common Pleas

SC Court of Appeals

The Honorable R. Markley Dennis, Jr., Circuit Court Judge

App. Case No. 2015-002297

John Doe,

Appellant,

v.

Board of Zoning Appeals (BZA) and
Town of Sullivans Island (S.I.),
S. I. Zoning Administrator, and
S. I. Building Dept., Individually
and In Official Capacity,

Respondents.

Motion Pursuant to Rule 240(j), SCACR

C. Holmes
P.O. Box 187
Sullivans Isd.,
SC 29482-0187
(843)883-3010
For Appellant

The appellant respectfully enters Rule 240(j), SCACR, motion for panel review of the November 4, 2016, Order and respectfully submits that the Court may have overlooked or misapprehended the following material points set forth *infra*.

Facts

The underlying matter involves an Ohio LLC's a.k.a. Granuaile LLC's violation of the local government's prior order enforcing compliance with the ordinances regarding impervious surface limitations. See attached. Granuaile LLC's violation of the local government's order for compliance resulted in foreseeable damage to neighboring properties. Damages include, but are not limited to, pooling of wrongful stormwater run-off with contaminants and wastewater collecting and standing under homes and in rear areas where children and pets play and live. The record reflects a BZA hearing was held at the request of property owners. After that hearing, pursuant to S.C. Code Section 6-29-820, notice of appeal with request for mediation was timely served and filed within thirty days. Respondent's

counsel acknowledged appellant's hearing in the attached correspondence but relied on a tortured, even frivolous, interpretation of the statute and pursued dismissal in an untenable manner. In particular, respondent denied basic notice to the other side and failed to provide the required notice at the address listed on the Charleston County Circuit Court website for service, the same address listed on the Charleston County Circuit Court Cover Sheet for service. It is fair to say that respondents themselves would want notice. The record reflects respondents knew, should have known, and/or calculated that the other side would not receive and/or had not received actual notice. The record reflects respondents made misrepresentations and/or material omissions to the lower court upon which the lower court relied. The lower court and the appellant are prejudiced thereby. This appeal followed.

Introduction

Panel review is requested regarding irregularities, improper handling, and multiple incidents of confiscation of unearned fees by the Clerk of the

Court of Appeals. The November 4, 2016, Order confirms the Clerk's wrongdoing. The record however reflects multiple incidents of confiscation of unearned fees and the Clerk of the Court of Appeals has been less than straight-forward or forthcoming. See attached copy of another negotiated check confiscated for unearned fees. Serious questions are raised regarding confiscation of unearned fees and wrongdoing against hapless litigants in how many other cases evading judicial review and capable of repetition. Failure of evenhandedness and fairness by the Clerk of the Court of Appeals feeds the appearance of impropriety. Perhaps, the "revolving-door" at the COA clerk's office in recent times has had adverse effects, supporting the argument for career clerks. In any case, failure of evenhandedness and fairness at the office of the Clerk of the Court of Appeals reveals a fundamental disconnect with the interests of the citizenry of the State of South Carolina and threatens the integrity of the process. Moreover, panel review is respectfully requested based on error of material fact and law. The November 4, 2016, order overlooks the material fact that Respondents so-called supplemental material violates the South Carolina Appellate Court Rules (SCACR) which require its exclusion on jurisdictional grounds. Further, Rule 210(c), SCACR, expressly provides that the material "shall

not" be included. Rule 210(c), SCACR. In the alternative, appellant respectfully requests meaningful opportunity to respond. It is respectfully submitted that unauthorized and/or unfair actions by the Clerk of the Court of Appeals may have prejudiced the result. The appellant is prejudiced thereby. These issues concern matters of public importance.

Standard of Review

Questions of law are reviewed de novo. S.C. Const. art. V, § 5. Moreover, the Rule 240(j), SCACR, motion herein is an appeal of an order by an individual judge and the proper legal standard is de novo. S.C. Code § 14-8-220. It is well established that the Federal Rules of Appellate Procedure (FRAP), upon which the SCACR are based, have long been interpreted to provide for review of decisions by a single judge for self-preservation as well as other reasons, particularly where judges are subjected to elections and re-elections. See Local Rule 27(e), FRAP. Pursuant to S.C. Code § 14-8-220 and Rule 240(j), SCACR, the case stands before the

appellate court as if it had never been decided. See *Griffin v. State*, 763 N.E.2d 450 (Ind.2002) (citing 5 Arch N. Bobbitt & Frederic C. Sipe, *Bobbitt's Revision, Works' Indiana Practice* § 111.3 (5th ed.1979)). See *Ex parte Northern Pacific Railway Co.*, 280 U.S. 142, 144, 50 S.Ct. 70, 74 L.Ed. 233; *Stratton v. St. Louis Southwestern Railway Co.*, 282 U.S. 10, 15, 51 S.Ct. 8, 75 L.Ed. 135 (The District Judge recognized the rule that if the court was warranted in taking jurisdiction and the case fell within section 266 of the Judicial Code (28 USCA § 380), a single judge was not authorized to dismiss the complaint on the merits, whatever his opinion of the merits might be). "The prior denial of the transfer motion was the order of a single judge. Federal Rule of Appellate Procedure 27(c) provides that 'an action of a single judge may be reviewed by the court.' That order is thus not binding on us as law of the case." *Thompson v. Merit Sys. Protection Bd.*, 772 F.2d 879, 882 (Fed. Cir. 1985). Significantly and materially in that case, the denial of a transfer motion clearly does not end or finally determine a case; the necessary element for Rule 240(j), SCACR, panel review is that the order is signed by a single judge. Accordingly, the appellant respectfully submits request pursuant to S.C. Code § 14-8-220 and

Rule 240(j), SCACR, for panel appeal.

Rule 240(j), SCACR, motion expressly provides for panel appeal of order signed by a single judge. Rule 240(j), SCACR, is independent of, and is not controlled by, Rule 240(i), SCACR. S.C. Code § 14-8-220, the statutory authority underlying Rule 240(j), SCACR, expressly provides for appeal of an order by a single judge as follows:

S.C. Code § 14-8-220

SECTION 14-8-220. Power of Court and judges to administer oaths and writs; appeal.

The Court and each of the judges thereof shall have the same power at chambers or in open court to administer oaths, and to issue such remedial writs as are necessary to give effect to its jurisdiction. **An appeal shall be allowed from decision of any one judge to a panel of the Court.** S.C. Code § 14-8-220 (emphasis supplied).

HISTORY: 1979 Act No. 164 Part IV-A Section 1, eff July 1, 1979; 1979 Act No. 194 Part III Section 5, apparently effective Aug. 8, 1979; 1983 Act No. 89 Section 1, eff June 2, 1983; 1983 Act No. 90 Section 2, eff July 1, 1985.

That statute underlies Rule 240(j), SCACR, which was renumbered in 2009 from Rule 224(j), SCACR. The previous Rule 224(j), SCACR, included the

provision that, "Any party aggrieved by an order of an individual judge or justice may seek review of that order by the appellate court or a panel thereof." That provision was preserved (in 2007) but reworded then re-numbered Rule 240(j), SCACR, to provide that, "Any review of an order issued by an individual judge or justice shall be by petition for rehearing." Significantly and materially, the legislative intent and underlying statutory authority remain the same in S.C. Code § 14-8-220. The legal standard of review for Rule 240(j), SCACR, appeal is different than the standard of review for Rule 221, SCACR, rehearing.

The appellant respectfully appeals pursuant to S.C. Code § 14-8-220 for de novo review by a panel of judges which does not include the individual judge who issued the order. Appellant filed the motion under Rule 240(j), SCACR, for appeal of a single judge's order, as opposed to a Rule 221, SCACR, petition for rehearing and as opposed to a request for reconsideration by the same judge who authored the order to review his own decisions and conclusions. S.C. Code § 14-8-220 provides statutory authority for Rule 240(j), SCACR, and provides for **appeal** of the order of a single judge to a panel of judges. S.C. Code § 14-8-220. Meaningful review

requires that a judge not participate in appeal of his or her own order. Occasionally, a recently appointed Appellate Court Judge or recent Supreme Court Justice will find him or herself in the position of potentially reviewing an Order that he or she authored while in the court below. In these cases, the Judge or Justice will recuse him or herself from reviewing his or her own order. A judge "shall disqualify himself in any proceeding in which his impartiality might reasonably be questioned." *Rule 3(E)(1), CJC, Rule 501, SCACR*. Disqualification is required if a reasonable factual basis exists for doubting the judge's impartiality. *Rice v. McKenzie*, 581 F.2d 1114, 1116 (4th Cir. 1978) (emphasis supplied). In that case, then Chief Judge Haynsworth further ruled that, "For many years a federal judge has been prohibited from sitting to hear or determine an appeal in a case or issue tried by him. 28 U.S.C.A. § 47. To say the least, it would be unbecoming for a judge to sit in a United States Court of Appeals to participate in the determination of the correctness, propriety and appropriateness of what he did in the trial of the case. After rendering decisions, some judges remain open minded, and some are unreluctant to confess previous error, but a reasonable person has a reasonable basis to question the impartiality of a

judge who sits in a United States Court of Appeals to review his own decision as a trial judge." *Id.* at 1117. The inquiry is whether a reasonable person would have a reasonable basis for questioning the judge's impartiality, not whether the judge is in fact impartial. *Id.* at 1116. Granted, this is a Fourth Circuit case, but the principle from this oft-cited case is well stated, sound, and universally accepted as logical and fair. "There is another way to look at the case, however: as one in which the losing litigant appeals from a ruling by Judge X to an appellate panel that includes Judge X; and it is considered improper--indeed is an express ground for recusal, see 28 U.S.C. Sec. 47--**in modern American law** for a judge to sit on the appeal from his own case. On this ground the Fourth Circuit held in *Rice* that section 455(a) required the district judge to recuse himself. [*Rice v. McKenzie*, 581 F.2d 1114, 1116 (4th Cir. 1978).] We agree with this result." *Russell v. Lane*, 890 F.2d 947 (7th Cir. 1989) (emphasis supplied). The appellant respectfully requests that the Rule 240(j) appeal be heard by a panel of judges, which does not include the individual judge who issued the order being reviewed.

I. Objection to respondent's so-called supplemental material is based on jurisdictional grounds.

The Court of Appeals has such jurisdiction as the General Assembly prescribes by general law. S.C. Const. art. V, § 9. Its jurisdiction under S.C. Code §14-8-200(a) is as follows:

[T]he court shall have jurisdiction over any case in which an appeal is taken from an order, judgment, or decree of the circuit or family court. S.C. Code §14-8- 200(a).

The Court of Appeals is an error-correction court. S.C. Const. art. V, § 9. In a direct appeal, the focus is on the propriety of rulings made by the circuit court. See *Al-Shabazz v. State*, 338 S.C. 354, 527 S.E.2d 742 (1999). Toal *et al.*, *Appellate Practice in South Carolina* (3d ed. 2016), p. 11. The instant matter is a direct appeal. Appellate jurisdiction requires that the so-called supplemental material be presented to and ruled upon by the lower court, which it has not. Affidavit entered herein May 9, 2016. Because respondent's so-called supplemental material wrongfully seeks to include pending matters not ruled upon by the lower court, the jurisdictional prerequisite has not been met; lack of jurisdiction requires exclusion. *Carter v. State*, 329 S.C. 355, 495 S.E.2d 773 (1998). Moreover, Rule 210(c),

SCACR, expressly provides that the material "shall not" be included. Rule 210(c), SCACR. Respondent's so-called supplemental material is prohibited and properly excluded.

II. In the alternative, appellant respectfully requests opportunity to file amended brief.

It is fair to say that respondents would want an opportunity to respond. Moreover, even-handedness and fundamental fairness require meaningful opportunity to respond. The letter and spirit of the South Carolina Appellate Court Rules mandate opportunity to respond. In the alternative, appellant respectfully requests opportunity to file amended brief. See *Hicks v. Feiock*, 108 S.Ct. 1423, 485 U.S. 624, 99 L.Ed. 721, 56 U.S.L.W. 4347 (1988). "The touchstone of due process is protection of the individual against arbitrary action of government," *Wolff v. McDonnell*, 418 U.S. 539, 558 (1974), or denial of fundamental procedural fairness, see, e.g., *Fuentes v. Shevin*, 407 U.S. 67, 82 (1972) (the procedural due process guarantee protects against "arbitrary takings"). *County of Sacramento v.*

Lewis, 523 U.S. 833, 118 S.Ct. 1708, 140 L.Ed.2d 1043 (1998). *See Moore v. Moore*, 376 S.C. 467, 657 S.E.2d 743 (2008) (procedural due process requires (1) adequate notice; (2) adequate opportunity for a hearing; (3) the right to introduce evidence; and (4) the right to confront and cross-examine witnesses).

III. Rule 240(j), SCACR, is not limited by Rule 240(i), SCACR, and the standard of review is not the same standard as Rule 221, SCACR, petition for rehearing.

The Court is requested to confirm the standard of review at Rule 240(j), SCACR, appeal pursuant to S.C. Code § 14-8-220, which is different than Rule 221, SCACR, rehearing. Case law and other authority in the Standard of Review section, *supra*, are incorporated in full and set forth below for ease of reference and in compliance with the SCACR. The Rule 240(j), SCACR, motion herein is an appeal of an order by an individual judge and the proper legal standard is *de novo*. S.C. Code § 14-8-220. It is well established that the Federal Rules of Appellate Procedure (FRAP),

upon which the SCACR are based, have long been interpreted to provide for review of decisions by a single judge. See Local Rule 27(e), FRAP. Pursuant to S.C. Code § 14-8-220 and Rule 240(j), SCACR, the case stands before the appellate court as if it had never been decided. See *Griffin v. State*, 763 N.E.2d 450 (Ind.2002) (citing 5 Arch N. Bobbitt & Frederic C. Sipe, *Bobbitt's Revision, Works' Indiana Practice* § 111.3 (5th ed.1979)). See *Ex parte Northern Pacific Railway Co.*, 280 U.S. 142, 144, 50 S.Ct. 70, 74 L.Ed. 233; *Stratton v. St. Louis Southwestern Railway Co.*, 282 U.S. 10, 15, 51 S.Ct. 8, 75 L.Ed. 135 (The District Judge recognized the rule that if the court was warranted in taking jurisdiction and the case fell within section 266 of the Judicial Code (28 USCA § 380), a single judge was not authorized to dismiss the complaint on the merits, whatever his opinion of the merits might be). "The prior denial of the transfer motion was the order of a single judge. Federal Rule of Appellate Procedure 27(c) provides that 'an action of a single judge may be reviewed by the court.' That order is thus not binding on us as law of the case." *Thompson v. Merit Sys. Protection Bd.*, 772 F.2d 879, 882 (Fed. Cir. 1985). Significantly and materially in that case, the denial

of a transfer motion clearly does not end or finally determine a case; the necessary element under Rule 240(j), SCACR, panel review is that the order is signed by a single judge. The appellant respectfully submits request pursuant to S.C. Code § 14-8-220 and Rule 240(j), SCACR, for panel appeal.

Rule 240(j), SCACR, is independent of, and is not controlled by, Rule 240(i), SCACR. S.C. Code § 14-8-220, the statutory authority underlying Rule 240(j), SCACR, expressly provides for appeal of an order by a single judge as follows:

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IV. As a matter of public policy, providing panel review benefits the appellate court, benefits individual judges, and benefits, even fosters, the integrity of the appellate process.

As a matter of public policy, providing panel review benefits the appellate court, benefits individual judges/justices, and benefits, even

fosters, the integrity of the appellate process. Legislative intent and express statutory authority in S.C. Code § 14-8-220 provide for panel review. That legislative intent is consistent with former Justice Sandra Day O'Connor's warning to the public about the dangers of electing judges. South Carolina elects judges and subjects them to re-election. Former Justice Sandra Day O'Connor wrote ". . . many Americans today do not see the need for independent judges. Many prefer a judiciary that acts merely as a reflex of popular will." *Judicial Independence and 21st Century Challenges*, Sandra Day O'Connor, The Bench, July/August 2012. As she explained, "[t]he reason why judicial independence is so important is because **there has to be a safe place** where being right is more important than being popular; where fairness triumphs strength. That place, in our country, is the courtroom. It can only survive so long as we keep out political influences." *Id* (emphasis supplied). In addition, speaking at a forum organized by former Justice Sandra Day O'Connor at Georgetown University Law Center, Supreme Court Justice David Souter concurred, "I was in Philadelphia for a dinner one evening a few years back, where the speakers included the late Richard Arnold, surely one of the greatest judges of our time or any other time.

Richard Arnold put the value of an independent Judiciary in these words: 'There has to be a safe place.' That's all he said. 'There has to be a safe place.' ... Because there has to be a safe place." Georgetown Law Journal, Vol. 99:157,160. Public policy, legislative intent, statutory authority, federal case law, FRAP, State and federal constitutional law, and the SCACR provide for appeal of orders by a single judge. This Court is respectfully requested to uphold the letter and spirit of the same and exclude respondent's so-called supplemental material.

- V. Even assuming applicability of Rule 240(i), SCACR, the November 4, 2016, order is based on error of material fact. Respondent's pattern of lack of diligence, untimely motion regarding so-called supplemental material, and/or premature printing and binding of improper material wrongfully characterized as supplemental deprive the other side of due process by denying any meaningful opportunity to respond, thereby, prejudicing the appellant and affecting final determination. As such, the order is reviewable pursuant to Rule 240(i), SCACR, and/or is reversible denial of due process in violation of, including but not limited to, the SCACR.**

Even assuming Rule 240(i), SCACR, applies, the November 4, 2016,

order should be set aside due to error of material fact. The record reflects respondent's lack of diligence and untimely motion with no timely objection after the Record on Appeal was served. After the Record on Appeal was timely printed, bound, and filed, Respondents filed untimely motion claiming so-called supplemental material. Appellant disputes the material is supplemental and respectfully submits that it is excluded on jurisdictional grounds. By prematurely printing and binding the improper material, untrustworthy respondents counsel seeks to deprive the other side of due process by denying any meaningful opportunity to respond, thereby affecting final determination. As such, the order is reviewable pursuant to Rule 240(i), SCACR, and/or is reversible denial of due process in violation of the SCACR. See *Moore v. Moore*, 376 S.C. 467, 657 S.E.2d 743 (2008) (procedural due process requires (1) adequate notice; (2) adequate opportunity for a hearing; (3) the right to introduce evidence; and (4) the right to confront and cross-examine witnesses). See S.C. Const. art. I, sec. 2, 3, 4, 10, and 14; S.C. Const. art. V, sec. 4; S.C. Const. art. V, sec. 5; U.S. Const., Article I, sec. 9 and 10; U.S. Const. amend. I, IV, V, VII, and XIV. *Hicks v. Feiock*, 108 S.Ct. 1423, 485 U.S. 624, 99 L.Ed. 721, 56 U.S.L.W.

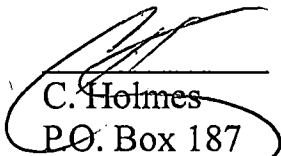
4347 (1988).

Conclusion

For the foregoing reasons and for substantial justice affecting substantial rights, appellant respectfully requests that this Court grant this motion for Rule 240(j), SCACR, panel appeal with abeyance. Appellate jurisdiction requires that matter be presented to and ruled upon by the lower court. Because respondent's so-called supplemental material wrongfully seeks to include pending matters not ruled upon by the lower court, the jurisdictional prerequisite has not been met; lack of jurisdiction requires exclusion from the Record on Appeal. Moreover, consistent with respondent's pattern and practice of lack of diligence with out-of-time motions and out-of-time brief herein, respondent's motion was untimely. It was filed after the Record on Appeal was served without objection and without notice to the other side. Respondents untimely motion was filed after the Record on Appeal was printed, bound, and filed. Further, by prematurely printing and binding the improper, mischaracterized, so-called supplemental material, respondents again seek to guarantee the other side is

deprived of any meaningful opportunity to respond, a pattern abundantly reflected in the record below. As a matter of law, the South Carolina Appellate Court Rules and controlling precedent exclude respondent's so-called supplemental material on jurisdictional grounds and pursuant to Rule 210, SCACR. In the alternative and in the interest of even-handedness and fundamental fairness, appellant respectfully requests opportunity to respond and file amended brief.

Respectfully submitted,



C. Holmes
P.O. Box 187
Sullivans Isd.,
SC 29482-0187
(843)883-3010
For Appellant

CHARLESTON COUNTY
Auditor
Peter Tecklenburg

- MAIN MENU
- EXIT

Parcel ID
5231200058

Sub-Division
FORT MOULTRIE

Tax District
23, Town of Sullivan's Island

Legal Description :LT 10 AREA F

Acreage High : 0 **Marsh :** 0 **Swamp :** 0 **Water :** **Total :** 0

Jurisdiction : CNTY-ASSESSR

Property Address :1607 POE AVE

Mailing Address : 3 HIDDEN VLY, ROCKY RIVER- OH, 44116-1143

Current Owner - 1	Current Owner - 2	Owner 1 as of Jan 1	Owner 2 as of Jan 1	Deed	Deed Date	Sale Date	Sale Price
-	-	GRANUAILE LLC	-	R624-643	05/07/2007	04/30/2007	

RATT-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

WWW.P-TW.COM

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

June 25, 2015

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

Dear Dr. Holmes:

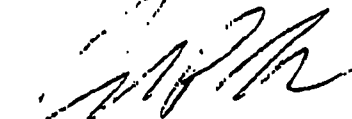
I am in receipt of your two letters to Larry Dodds, Town Attorney for the Town of Sullivan's Island, indicating that you are requesting mediation with respect to the BZA appeal involving permit # 2014-2899. Our firm is currently handling an appeal to the Charleston County Circuit Court which is related to permit # 2014-2899. That appeal was filed by J. Doe and is Civil Action Number 2015-CP-10-0775. That being the case, Mr. Dodds asked that we respond to your letter concerning the same BZA decision.

The BZA held a hearing on the appeal of permit # 2014-2899 on April 10, 2014 and issued a Final Order on May 8, 2014 (mailed May 9, 2014). In response to your request, the BZA held a rehearing on September 11, 2014 and issued a Final Order on the rehearing on January 8, 2015 (mailed January 12, 2015).

Your request for mediation of this matter does not meet the requirements of the applicable South Carolina statute. Under South Carolina Code Section 6-29-820(B), the property owner whose land is the subject of a decision of the board of appeals may appeal a decision of the board of zoning appeal by filing, within thirty days of the mailing of the board of zoning appeals decision, a notice of appeal with the circuit court accompanied by a request for pre-litigation mediation in accordance with South Carolina code section 6-29-825.

Your letter requests do not comply with the above statute in several ways. For example, it is not timely, it is not filed with court as a notice of appeal accompanied by a request for mediation, and it does not appear to be requested by the owner of the property that was the subject of the BZA. According to the Charleston County records, James P. Walsh, not Dr. Cynthia Holmes, is the owner of the property that was the subject of the permit and BZA (1607 Poe Ave, Sullivan's Island, South Carolina). Therefore, because your requests are not proper under the applicable statute, the Town will not be providing tentative dates and mediators as you request in your letters to Mr. Dodds.

Very truly yours,



John P. Linton, Jr.

CYNTHIA HOLMES
PO BOX 187
SULLIVANS ISLAND SC 29482-0187

2729

87-448539 SC
1605

5/27/16
Date

Pay Clark, Cox \$ 25.00
to the order of
Twenty five and 00/100 Dollars

ACH R/F 003904483

Memo Thank you - 1

Advantage
PK

79751

Seq: 57
Batch: 302067
Date: 06/03/16

For Deposit Only
SC State Treasurers
General Deposit Account
(B04 Judicial Department)

Seq: 09057 06/03/16
BAT: 302067 CC: 0052180000
WT: 01 LTIPS: Atlanta ET
CC: Cayle, Park Place CC SC3-210

RECEIVED

NOV 28 2016

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM CHARLESTON COUNTY
Court of Common Pleas

The Honorable R. Markley Dennis, Jr., Circuit Court Judge

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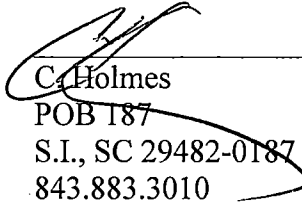
Board of Zoning Appeals (BZA) and
Town of Sullivans Island (S.I.),
S. I. Zoning Administrator, and
S. I. Building Dept., Individually
and In Official Capacity,

Respondents.

PROOF OF SERVICE

I certify that I have timely served the foregoing on the Respondents on this date by deposit in the United States Mail, postage prepaid, addressed to Respondents' attorney of record at 16 Charlotte St., Charleston, SC 29403.

Dated November 19, 2016.



C. Holmes
POB 187
S.I., SC 29482-0187
843.883.3010

Fax: 803.734.1839

Clerk, South Carolina Court of Appeals
1220 Senate Street
Post Office Box 11629
Columbia, SC 29201/29211

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SC Court of Appeals

Re: Doe v BZA et al
App. Case No. 2015-002297

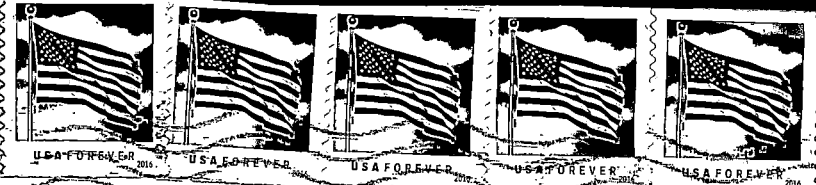
Dear Jenny:

Enclosed for filing is the original with abeyance request in the above case. Also, enclosed are the following:

- 1) The filing fee,
- 2) Seven copies,
- 3) Proof of Service and a copy, and
- 4) SASE for return.

Thank you for your kind attention to this matter. With best personal regards, I remain

Very truly yours,



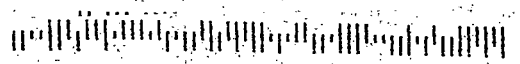
CHARLESTON SC 294

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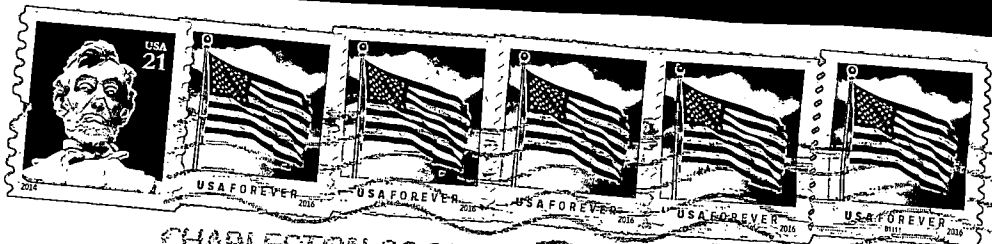
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Clerk, SCCOA
1220 SENATE ST.
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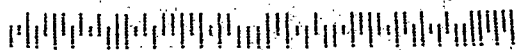
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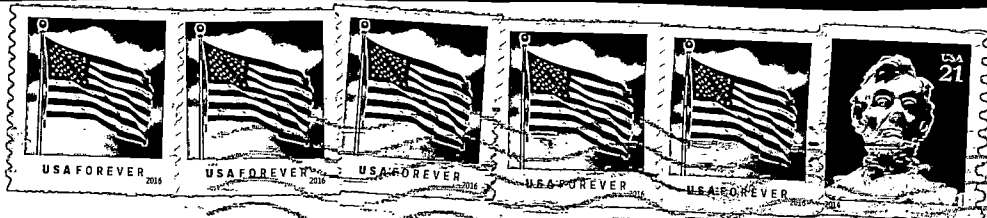
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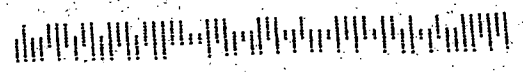


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