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DEC 13 2016

SC Court of Appeals

**THE STATE OF SOUTH CAROLINA
In the Court of Appeals**

APPEAL FROM THE ADMINISTRATIVE LAW COURT

The Honorable H.W. Funderburk, Jr.

Appellate Case No. 2016-002136

GENE B. SCHWIERSRespondent,

vs

SOUTH CAROLINA DEPARTMENT OF HEALTH
AND ENVIRONMENTAL CONTROL and STEWART W. HEATH.....Respondents below,

OF WHOM SOUTH CAROLINA DEPARTMENT OF HEALTH AND ENVIRONMENTAL
CONTROL IS THE RESPONDENT,

AND

STEWART W. HEATH IS THE APPELLANT.

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

Appellant proposes that the following be included in the Record on Appeal:

I. ORDERS:

- A. Final Order filed August 18, 2016
- B. Amended Final Order filed September 23, 2016

II. PLEADINGS:

- A. Request for Administrative Hearing filed December 29, 2015
- B. Petitioner Schwiers Prehearing Statement filed February 23, 2016
- C. Respondent DHEC Prehearing Statement filed February 19, 2016
- D. Respondent Heath Prehearing Statement filed February 22, 2016

III. TRANSCRIPT OF PROCEEDINGS:

Transcript p. 112-113
Transcript p. 123-125
Transcript p. 128-129
Transcript p. 130-136
Transcript p. 167

IV. EXHIBITS:

- A. Petitioner's Exhibit 5
- B. Petitioner's Exhibit 7
- C. Respondent's Exhibit 4
- D. Respondent's Exhibit 5
- E. Respondent's Exhibit 6
- F. Respondent's Exhibit 7
- G. Respondent's Exhibit 8
- H. Respondent's Exhibit 9
- I. Respondent's Exhibit 12
- J. Respondent's Exhibit 12A
- K. Respondent's Exhibit 14

December 13, 2016
Lake City, SC 29560



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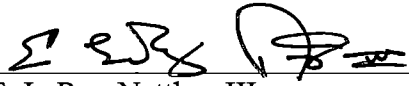
AND

STEWART W. HEATH IS THE APPELLANT.

CERTIFICATE OF COUNSEL

The undersigned certifies pursuant to Rule 209(c), South Carolina Appellate Court Rules,
that the Designation of Appellant contains no matter which is irrelevant to the appeal.

December 13, 2016
Lake City SC, 29560


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PROOF OF SERVICE

I certify that I served a copy of the **APPELLANT'S INITIAL BRIEF** and
APPELLANT'S DESIGNATION OF MATTER TO BE INCLUDED IN THE RECORD
ON APPEAL by depositing a copy in the United States Mail, first class postage prepaid on the
13th day of December, 2016 on the on the following parties and counsel of record listed below:

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Lake City, South Carolina
December 13, 2016


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