

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. SCHWIERS.....Respondent,

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.

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JAN 11 2017

**SC Court of Appeals**

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

Respondent proposes that the following be included in the Record of Appeal:

I. ORDERS

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

II. PLEADINGS:

- A. Respondent' s Letter to South Carolina Department of Health and Environmental Control filed June 8, 2015
- B. Respondent' s Letter to South Carolina Board of Health and Environmental Control filed October 28, 2015
- C. Letter from S. Morris Hadden filed June 12, 2015
- D. Letter from Robert M. Hadden filed June 11, 2015
- E. Letter from Ben and Nancee Pagett filed June 20, 2015
- F. Respondent' s Response to Motion to Reconsider, Alter or Amend filed September 9, 2016

III. TRANSCRIPT OF PROCEEDINGS:

- A. Cross Examination of Christopher Stout (as I did not receive a copy of the transcript I am not in possession of the exact page numbers)
- B. Respondent, Gene B. Schwiers, opening and closing statements to the Court. (as I did not receive a copy of the transcript I am not in possession of the exact page numbers)

January 9, 2017



Gene B. Schwiers  
4 East Cleveland Bay Court  
Greenville, SC 29615  
864-297-7417  
[genebaxlevschwiers@yahoo.com](mailto:genebaxlevschwiers@yahoo.com)  
Respondent

THE STATE OF SOUTH CAROLINA  
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PROOF OF SERVICE

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I certify that I served a copy of the INITIAL BRIEF OF RESPONDENT and RESPONDENT' S DESIGNATION OF MATTER TO BE INCLUDED IN THE RECORD ON APPEAL by depositing a copy in the United States Mail postage paid on the 9<sup>th</sup> day of January, 2017 on the following parties and counsel of record listed below:

E. LeRoy Nettles, III  
Post Office Box 699  
Lake City, SC 29560

Bradley D. Churdar, Esq.  
South Carolina Department of Health and Environmental Control  
1362 McMillan Avenue, Suite # 400  
North Charleston, SC 29405

The Honorable Jenny Abbott Kitchings  
Clerk, South Carolina Court of Appeals

Post Office Box 11629  
Columbia, SC 29211

Gene B. Schwiers  
4 East Cleveland Bay Court  
Greenville, SC 29615  
864-297-7417

January 9, 2017

January 9, 2017

VIA US MAIL

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

RE: Gene B. Schwiers, Respondent, v. South Carolina Department of Health and Environmental  
Control and Stewart W. Heath, Respondents below,

Of Whom Stewart W. Heath is the Appellant

Appellate Case No. 2016-002136

Dear Ms. Kitchings:

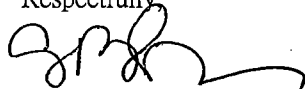
Enclosed herein, please find the following documents for filing in the above referenced matter:

1. Initial Brief of the Respondent, Gene B. Schwiers (with Certificate of Compliance);
2. Designation of Matter to be included in the Record on Appeal;
3. Proof of Service.

As the Court may be aware I am not an attorney; however, I have read the requirements of Rule 267 of the South Carolina Appellate Court Rule (SCACR) as instructed. If there are any concerns or questions regarding the documents presented please contact me directly at 864-297-7417 or 678-770-4323.

By copy of this letter I am serving these documents upon all parties as indicated by the enclosed Proof of Service.

Respectfully,



Gene B. Schwiers

Cc w/enc: E. LeRoy Nettles, III  
Bradley Churdar, ESQ.

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**SC Court of Appeals**

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