

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM HORRY COUNTY
Court of Common Pleas

Benjamin H. Culbertson, Circuit Court Judge

Case No. 2015-CP-26-8179
Appellate Case No. 2016-002175

RECEIVED

MAR 23 2017

SC Court of Appeals

Robert DeCiero,.....Appellant,

v.

Horry County, State of South Carolina,.....Respondent.

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

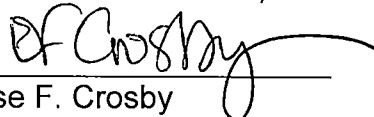
Respondent proposes the following to be included in the Record on Appeal:

1. Order Granting Motion to Dismiss, dated June 22, 2016, filed July 19, 2016
2. Order Denying Appellant's Motion to Reconsider, dated September 16, 2016, filed September 22, 2016 (Form 4)
3. Circuit Court's June 2, 2016 letter to counsel
4. Coversheet, Summons, and Complaint, filed November 13, 2015
5. Answer of Defendant, filed December 16, 2015
6. Transcript of Record, dated June 1, 2016

7. Defendant's Notice of Motion and Motion to Dismiss under Rule 12(b)(6) and for Summary Judgment under Rule 56, filed April 14, 2016
8. Affidavit of Janet Carter with Exhibits¹
9. Plaintiff's Memorandum in Opposition to Defendant's Motion to Dismiss/ Motion for Summary Judgment, dated May 19, 2016
10. Defendant's Reply Brief to Plaintiff's Memorandum in Opposition to Defendant's Motion to Dismiss and for Summary Judgment, dated May 23, 2016, filed May 25, 2016.
11. Motion to Reconsider Order of Dismissal, dated July 26, 2016
12. Defendant's Memorandum in Opposition to Plaintiff's Motion to Reconsider Order of Dismissal, dated August 5, 2016, filed August 9, 2016
13. Notice of Appeal dated October 18, 2016

I certify this Designation contains no matter which is irrelevant to this Appeal.

CROSBY LAW FIRM, LLC



Elise F. Crosby
405 Dozier Street
Georgetown, South Carolina 29440
(843) 546-3103
Attorney for Respondent

Georgetown, S.C.
March 20, 2017.

¹ Exhibits A-D are proposed to be included individually in Appellant's Designation of Matter to Be Included in the Record

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Case No. 2015-CP-26-8179
Appellate Case No. 2016-002175

Roberts DeCiero,.....Appellant,

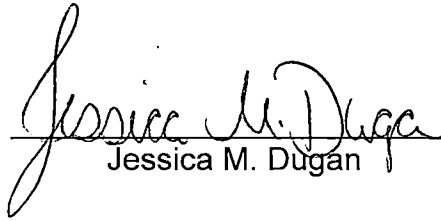
v.

Horry County, State of South Carolina,.....Respondent.

PROOF OF SERVICE

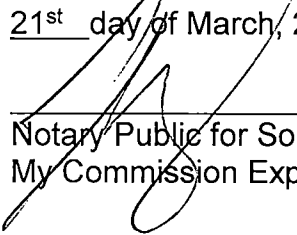
I, Jessica M. Dugan do hereby certify that I am an employee of THE CROSBY LAW FIRM, LLC, attorney for the Respondent in the above-referenced action, do hereby certify that I did this 21st day of March, 2017, by first class mail, postage prepaid, serve a copy of the **Initial Brief of Respondent and Respondent's Designation of Matter to Be Included in the Record on Appeal** on the following Attorney, addressed as follows:

Thomas C. Brittain, Esquire
The Brittain Law Firm, P.A.
4614 Oleander Drive
Myrtle Beach, SC 29577

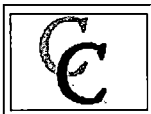


Jessica M. Dugan

Sworn to before me this
21st day of March, 2017.



Notary Public for South Carolina
My Commission Expires: 3/24/2016



JOE M. CROSBY
jcroby@crosbyfirm.com

CROSBY LAW FIRM, LLC
405 DOZIER STREET
GEORGETOWN, S. C. 29440
TEL: (843) 546-3103 FAX: (843) 546-0747
www.crosbyfirm.com

ELISE F. CROSBY*
ecrosby@crosbyfirm.com
*Certified Family Court Mediator

March 21, 2017

The Honorable Jenny Abbott Kitchings
Clerk, South Carolina Court of Appeals
1220 Senate Street
Columbia, South Carolina 29201

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MAR 23 2017

SC Court of Appeals

RE: *Robert DeCiero vs. Horry County, State of South Carolina*
Appellate Case No.: 2016-002175

Dear Ms. Kitchings:

Enclosed please find for filing in regards to the above-referenced case the Initial Brief of Respondent and Respondent's Designation of Matter to Be Included in the Record on Appeal, along with the Proof of Service.

With kindest regards,

Respectfully yours,

Elise F. Crosby
Elise F. Crosby

EFC/jmd
Enc

cc: Thomas C. Brittain, Esquire ✓



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Crosby Law Firm, LLC
405 Dozier Street
Georgetown, SC 29440

The Honorable Jenny Abbott Kitchings
Clerk, South Carolina Court of Appeals
1220 Senate Street
Columbia, South Carolina 29201

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