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SC Court of Appeals

THE STATE OF SOUTH CAROLINA

In The Court of Appeals

APPEAL FROM THE ADMINISTRATIVE LAW COURT

Honorable H. W. Funderburk, Jr., Administrative Law Judge
Case No.: 2015-002255

Tommy J. BellamyAppellant

vs.

Horry County Assessor.....Respondent

**REPLY TO APPELLANT'S RETURN TO RESPONDENT'S
MOTION TO DISMISS APPEAL FOR FAILURE TO COMPLY
WITH THE SOUTH CAROLINA APPELLATE COURT RULES**

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Attorneys for Respondent

March 27, 2017

This matter is before the Court pursuant to Appellant's Notice of Appeal dated November 2, 2015. Since the Notice of Appeal, there have been numerous filings related to Appellant's failure to provide the Court with Appellate documents in accordance with the Court's Rules.

In reply to the Appellant's Return to Respondent's Motion to Dismiss, the Respondent, Horry County Assessor, respectfully moves the Court for an order dismissing Appellant's appeal in this matter for failure to comply with the South Carolina Appellate Court Rules ("SCACR"). Appellant re-served his Second Amended Record on Appeal, yet failed to include the items omitted from the Respondent's Designation of Matter and failed to supplement the incomplete items as ordered by the Court in its Order filed October 25, 2016. Appellant's Second Amended Record on Appeal contains no significant change; instead, it contains the same documents, page by page, as those contained in his Amended Record on Appeal.

In light of Appellant's failure to amend the contents of the Record on Appeal as ordered, Respondent Horry County Assessor respectfully requests the Court to dismiss the appeal.

Respectfully submitted,



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ADMINISTRATIVE LAW COURT

Honorable H. W. Funderburk, Jr., Administrative Law Judge

Docket No.: 15-ALJ-17-0462-CC

Tommy J. Bellamy.....Appellant

vs.

Horry County Assessor.....Respondent

PROOF OF SERVICE

I certify that I have served the Reply to Appellant's Return to Respondent's Motion to Dismiss Appeal for Failure to Comply with the South Carolina Appellate Court Rules by depositing a copy of it in the United States mail, postage prepaid, on March 27, 2017, addressed to the *pro se* Appellant as follows:

Tommy J. Bellamy
3684 Sea Mountain Highway
Little River, South Carolina 29566

And a copy served on:

Arrigo P. Carotti, Esquire
Horry County Attorney
Post Office Box 1236
Conway, South Carolina 29528

March 27, 2017

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March 27, 2017

Via Fax Transmission and U.S. Mail

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

Re: Tommy Bellamy v. Horry County Assessor
Appellate Case No. 2015-002255

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Dear Ms. Kitchings:

Our firm represents the Horry County Assessor in the above-referenced matter. Please find enclosed for filing the original and seven (7) copies of Reply to Appellant's Return to Respondent's Motion to Dismiss Appeal for Failure to Comply with the South Carolina Appellate Court Rules.

Please do not hesitate to contact our office if you have any questions.

Sincerely yours,

THOMAS & BRITTAI, P.A.



Emma Ruth Brittain

ERB/kwn
Enclosures

cc: Mr. Tommy J. Bellamy
Arrigo P. Carotti, Esquire, Horry County Attorney



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