

THE STATE OF SOUTH CAROLINA  
In the Supreme Court

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**RECEIVED**  
MAY 25 2017  
S.C. SUPREME COURT

APPEAL FROM FLORENCE COUNTY  
Court of Common Pleas

J.C. Nicholson, Jr., Circuit Court Judge

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Case No. 2014-CP-21-2626  
Appellate Case No. 2017-000693

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County of Florence and Florence County Council, ..... Respondents,

v.

West Florence Fire District, purported to have been created by S.C. Act No. 183 of 2014; the West Florence Fire District Commission, purported to have been created by S.C. Act No. 183 of 2014; David Brown, Dustin Fails, Linda Lang Gipco, Richard Hewitt, and C. Allen Matthews, each in his or her purported official capacity as a member of the West Florence Fire District Commission; and the State of South Carolina ..... Defendants,

of whom

West Florence Fire District, the West Florence Fire District Commission, David Brown, Dustin Fails, Linda Lang Gipco, Richard Hewitt, and C. Allen Matthews, each in his or her official capacity as a member of the West Florence Fire District Commission are ..... Appellants.

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

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Appellants propose the following be included in the Record on Appeal:

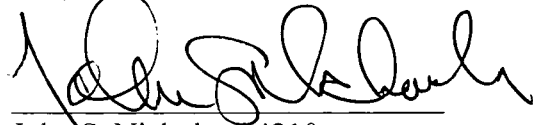
1. Order appointing Judge Nicholson, Jr. of 11/17/14;
2. Order of 1/17/17;
3. Form 4 Order of 2/21/17;
4. Consent Order of Stay 3/20/17;
5. Complaint;
6. Answer of West Florence Fire District Commission;

7. Answer of West Florence Fire District;
8. Answer of State of South Carolina;
9. Amended Complaint;
10. Answer of West Florence Fire District Commission to Amended Complaint;
11. Answer of West Florence Fire District to Amended Complaint;
12. Answer of State of South Carolina to Amended Complaint;
13. Plaintiffs' Pre-trial brief;
14. Defendants West Florence Fire District, the West Florence Fire District Commission, David Brown, Dustin Fails, Linda Lang Gipco, Richard Hewitt, and C. Allen Matthews Pre-trial brief;
15. Defendant State of South Carolina Post-trial Memorandum;
16. Motion to Reconsider;
17. Transcript of 7/25-7/26/16;
18. Plaintiffs' Exhibits 1, 2, 3, 8, 9, 10, 11, 12, 13, 14, 14a-14e, 17a, 18, 19a, 25, 26, 27, 28, 29.

I certify that this designation contains no matter which is irrelevant to this appeal.

May 22, 2017

Respectfully submitted,



John S. Nichols, # 4210

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of whom

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**PROOF OF SERVICE**

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The undersigned hereby certifies that on the date indicated below he served counsel with a copy of the *Initial Brief of Appellants and Designation of Matter to be Included in the Record on Appeal* by mailing copies of the same by United States Mail

with first class postage prepaid to the following addresses:

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A handwritten signature in black ink, appearing to read "John S. Nichols", written over a horizontal line.

John S. Nichols  
BLUESTEIN, NICHOLS,  
THOMPSON & DELGADO, LLC

May 22, 2017  
Columbia, South Carolina