

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

---

APPEAL FROM HORRY COUNTY  
Benjamin H. Culbertson, Circuit Court Judge

---

Appellate Case No. 2017-000567  
Case No. 2016-CP-26-1614

---

RECEIVED

AUG 16 2017

SC Court of Appeals

Robert Palmer, ..... Appellant,

v.

State of South Carolina, Horry County,  
and David Weaver..... Defendants,

Of Whom, State of South Carolina is ..... Respondent.

---

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

---

The Respondent State of South Carolina proposes that the following be included in the Record on Appeal:

1. Response in Opposition to Plaintiff's Memorandum in Support of his Motion for Reconsideration
2. Notice of Motion and Motion to Dismiss on behalf of Defendant State

of South Carolina

3. Defendant State of South Carolina's Motion to Dismiss and Memorandum of Law in Support of its Motion to Dismiss

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

ALAN WILSON  
Attorney General

ROBERT D. COOK  
Solicitor General  
S.C. Bar. No. 1373

J. EMORY SMITH, JR.  
Deputy Solicitor General  
S.C. Bar No. 5262

Office of the Attorney General  
Post Office Box 11549  
Columbia, South Carolina 29211  
(803) 734-3680

DAVIDSON & LINDEMANN, P.A.

BY: 

ANDREW F. LINDEMANN  
1611 Devonshire Drive  
Post Office Box 8568  
Columbia, South Carolina 29202  
(803) 806-8222

-and-

LISA A. THOMAS  
THOMPSON & HENRY, P.A.  
1300 Second Avenue, Third Floor  
Post Office Box 1740  
Conway, South Carolina 29528  
(843) 248-5741

*Counsel for Respondent  
State of South Carolina*

Columbia, South Carolina

August 11, 2017

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

---

RECEIVED

AUG 16 2017

APPEAL FROM HORRY COUNTY  
Benjamin H. Culbertson, Circuit Court Judge SC Court of Appeals

---

Appellate Case No. 2017-000567  
Case No. 2016-CP-26-1614

---

Robert Palmer, ..... Appellant,

v.

State of South Carolina, Horry County,  
and David Weaver..... Defendants,

Of Whom, State of South Carolina is ..... Respondent.

---

**CERTIFICATE OF SERVICE**

---

The undersigned employee of Davidson & Lindemann, P.A., counsel for the Respondent State of South Carolina, does hereby certify that service of the **Initial Brief of Respondent and Respondent's Designation of Matter to be Included in the Record on Appeal** in the above-captioned matter was made upon all counsel of record by placing copies in the United States Mail, first class postage prepaid, at the below listed addresses clearly indicated on said envelopes this the 11th day of August 2017:

Gene M. Connell, Esquire  
Kelaher, Connell & Connor, P.C.  
Post Office Drawer 14547  
Surfside Beach, South Carolina 29587-4547

Roger D. Johnson, Esquire  
Law Office of Roger Johnson  
607 Main Street  
Conway, South Carolina 29526

Lisa A. Thomas, Esquire  
Thompson & Henry, P.A.  
Post Office Box 1740  
Conway, South Carolina 29528

J. Emory Smith, Jr., Esquire  
Deputy Solicitor General  
Office of the Attorney General  
Post Office Box 11549  
Columbia, South Carolina 29211



---

DAVIDSON & LINDEMANN, P.A.

ATTORNEYS AND COUNSELLORS AT LAW

1611 Devonshire Drive, Second Floor  
Post Office Box 8568  
Columbia, South Carolina 29202-8568  
Telephone: (803) 806-8222  
Facsimile: (803) 806-8855  
www.dml-law.com

August 11, 2017

Daniel C. Plyler  
Joel S. Hughes  
David A. DeMasters  
Steven R. Spreuwers  
Brandon M. Briggs  
Jasmine D. Wyman

Of Counsel  
Kenneth P. Woodington

William H. Davidson, II  
Andrew F. Lindemann\*  
James M. Davis, Jr.†  
Robert D. Garfield  
Michael B. Wren

\*Also Admitted In North Carolina  
†Certified Mediator

Writer's Email: [alindemann@dml-law.com](mailto:alindemann@dml-law.com)

RECEIVED

AUG 16 2017

SC Court of Appeals

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

RE: Robert Palmer v. State of South Carolina, Horry County, and David Weaver  
Appellate Case Number: 2017-000567  
Civil Action Number: 2016-CP-26-1614  
Claim Number: 19730  
Our File Number: 104.10136


Dear Ms. Kitchings:

Please find enclosed for filing the originals and one copy each of the **Initial Brief of Respondent** and **Respondent's Designation of Matter to be Included in the Record on Appeal** in the above referenced matter. Please file the originals and return a clocked-in copy of each document to me in the enclosed envelope.

By copy of this letter, I am serving copies on all counsel of record. Thank you for your assistance in this matter.

Sincerely,

DAVIDSON & LINDEMANN, P.A.

  
Andrew F. Lindemann

AFL/jmb  
Enclosures

The Honorable Jenny Abbott Kitchings  
August 11, 2017  
Page Two

---

cc: (w/ Enclosures)

Gene M. Connell, Esquire  
Kelaher, Connell & Connor, P.C.  
Post Office Drawer 14547  
Surfside Beach, South Carolina 29587-4547

Roger D. Johnson, Esquire  
Law Office of Roger Johnson  
607 Main Street  
Conway, South Carolina 29526

Lisa A. Thomas, Esquire  
Thompson & Henry, P.A.  
Post Office Box 1740  
Conway, South Carolina 29528

J. Emory Smith, Jr., Esquire  
Deputy Solicitor General  
Office of the Attorney General  
Post Office Box 11549  
Columbia, South Carolina 29211



U.S. POSTAGE >>> PITNEY BOWES



ZIP 29204 \$ 007.20<sup>0</sup>  
02 1W  
0001400565 AUG 11 2017

Davidson & Lindemann, P.A.  
Post Office Box 8568  
Columbia, South Carolina 29202-8568

**RECEIVED**  
AUG 16 2017  
SC Court of Appeals

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

RECEIVED  
AUG 16 2017  
SC COURT OF APPEALS  
COLUMBIA, SC 29211