

THE STATE OF SOUTH CAROLINA  
In The Administrative Law Court

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APPEAL FROM  
S. C. DEPARTMENT OF HEALTH & ENVIORNMENTAL CONTROL  
Office of Coastal Resources

Catherine E. Heigel, Director

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Appellate Case Number: 2017-000161  
Case No. 2015-RFR-69, Sunset Cay, L.L.C.  
DOCKET NO. 15-ALJ-07-0579-CC

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SEP 18 2017

SC Court of Appeals

Sunset Cay, L.L.C., ..... Appellant,

vs.

S. C. Dept. of Health and Enviorn. Control, Division of O.C.R.M., ..... Respondent.

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Combined  
Designation of Contents of  
Record on Appeal

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## **Orders**

Here print Order of the Administrative Law Court dismissing appeal October 17, 2016  
Here print Order of the Administrative Law Court dismissing appeal, revised October 21, 2016  
Here print Order of the Administrative Law Court dismissing appeal January 4, 2017  
Here print Order of the D.H.E.C. Board refusing review December 2, 2015  
Here print O.C.R.M.'s denial of Declaration

## **Pleadings**

### **O.C.R.M.**

Here print Petition for Declaration with exhibits August 27, 2016  
Here print O.C.R.M. Response to Petition for Declaration October 12, 2015  
Here print Appellant's Appeal to D.H.E.C. Board October 23, 2015  
Here print O.C.R.M. "cease and desist" letter October 26, 2015  
Here print O.C.R.M. Notice of violation and Admission Letter October 26, 2015

### **ADMINISTRATIVE LAW COURT**

Here print Appellant's Request for Contested Case with exhibits, December 23, 2015  
Here print Appeal to D.H.E.C. Board (Motion for Reconsideration)  
Here print Appeal to Administrative Law Court  
Here print appellant's brief and supplemental brief  
Here print O.C.R.M. Partial Motion To Dismiss For Lack of Jurisdiction and Lack Of Ripeness and exhibits June 2, 2016  
Here print Appellant's brief to ALC  
Here print O.C.R.M.'s brief to ALC  
Here print Appellant's Motion for Reconsideration November 2, 2016  
Here print O.C.R.M.'s Motion to Amend Order November 3, 2016  
Here print Notice of Appeal

## **Affidavits**

Here print affidavit of Francis E. Clark November 17, 2016  
Here print affidavit of William Oglesby  
Here print the affidavit of Adam Page December 13, 2016

## **Transcripts**

Here print transcript of June 27, 2016 hearing before Administrative Law Court


## **Correspondence**

Here print September 27, 2016 email from Brad Churdar to Tommy Goldstein  
Here print December 13, 2016 email from Brad Churdar to the ALC and Tommy Goldstein

CERTIFICATE OF COUNSEL

I certify that this designation represents the combined designations of both parties, and I certify that it contains no matter which is irrelevant to this appeal except as to the Respondent's designation of two e-mails dated September 27<sup>th</sup> and December 13<sup>th</sup>. Appellant does not know what these e-mails are and cannot attest as to the relevance of those two documents. (Respondent's designation did not include a certificate of relevance.)

September 15, 2017

  
Thomas R. Goldstein, S. C. Bar #2186

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APPEAL FROM S. C. DEPARTMENT OF HEALTH & ENVIORN. CONTROL  
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CERTIFICATE OF SERVICE

The undersigned hereby certified that it served a true copy of the appellant's initial brief and parties' combined designation of contents of record on appeal upon respondent by serving a copy upon respondent's counsel of record, Bradley Churdar, General Counsel, Office of Coast Resources Management, 1362 McMillan Avenue, Suite 400, N. Charleston, S. C. 29405-2047, by mailing a copy of each properly addressed with sufficient postage affixed thereto this 15<sup>th</sup> day of September, 2017.



September 15, 2017

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**BELK, COBB, INFINGER AND GOLDSTEIN, P.A.**

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September 15, 2017

Hon. Jenny Abbott Kitchings  
Clerk of Court,  
South Carolina Court of Appeals  
P. O. Box 11629  
Columbia, S. C. 29211

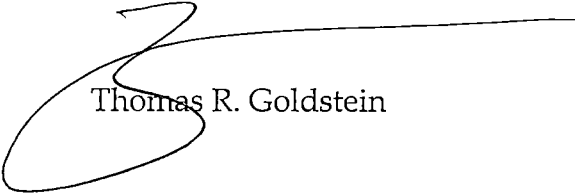
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Re: Sunset Cay, LLC vs. SCDHEC, Division of OCRM  
Appellate Case Number: 2017-000161

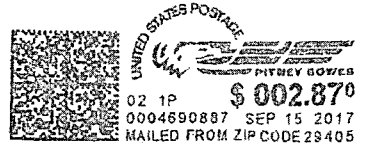
Dear Ms. Kitchings,

I enclose an original and extra copy of the Appellant's Initial Reply Brief and Designation of Matters to be Included in the Record on Appeal along with a Certificate of Service and Certificate of Compliance. I ask that you please file the original with the court and return a filed copy to me in the envelope provided. By copy of this letter to Bradley Churdar, I am serving a copy of the Initial Reply Brief and Designation of Matters to be Included in the Record on Appeal upon opposing counsel. With kind regards, I am

Very truly yours,  
BELK, COBB, INFINGER & GOLDSTEIN, P.A.

  
Thomas R. Goldstein

TRG/ral  
enclosure: Initial Reply Brief, return envelope  
cc: Bradley Churdar  
Butch Clark



# First Class Mail

Belk, Cobb, Infinger & Goldstein, PA  
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Charleston, S. C. 29415-1121

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