

The South Carolina Court of Appeals

Cricket Store 17, LLC d/b/a Taboo, Appellant,

v.

City of Columbia Board of Zoning Appeals, Respondent.

And

City of Columbia Zoning Administrator,
Counterclaimant,

v.

Cricket Store 17, LLC d/b/a Taboo, Counterdefendant.

Appellate Case No. 2017-000561

ORDER

Respondent has filed a motion to dismiss this appeal or, in the alternative, a motion to strike matter from, and supplement, the record on appeal. Appellant has filed a motion requesting leave to file the record on appeal as filed. After careful consideration, Respondent's motion to dismiss is denied. Appellant's motion for leave to file the record on appeal as filed is also denied. Respondent's motion to strike is granted.

Within twenty days of this order, Appellant must serve an amended record on appeal. The amended record shall not include the materials listed as items a. through f. on pages 4 and 5 of Respondent's motion to dismiss. Further, the amended record on appeal shall not include the unsigned, undated copy the application for an administrative appeal that appears on pages 115-16 of the current record. Finally, the amended record must include the letter designated as #6 in Respondent's designation of matter. Respondent shall serve its final brief within twenty days of service of the amended record on appeal.


FOR THE COURT

Columbia, South Carolina

cc:

Thomas R. Goldstein, Esquire

Peter M Balthazor, Esquire

Scott D. Berghold, Esquire

FILED

Feb. 7, 2018