

86054

THE STATE OF SOUTH CAROLINA

In the Court of Appeals

APPEAL FROM THE ADMINISTRATIVE LAW COURT

S. Phillip Lenski, Administrative Law Judge

Case No. 17-ALJ-07-0144-CC

RECEIVED

MAR 05 2018

SC Court of Appeals

MRI at Belfair, LLC, d/b/a 3T MRI at Belfair,

Petitioner / Appellant,

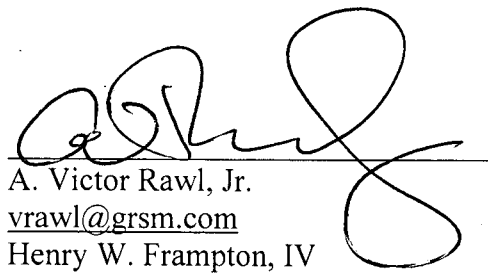
v.

South Carolina Department of Health and
Environmental Control and St. Joseph's/
Candler Imaging Center – Bluffton,

Respondents.

NOTICE OF APPEAL

MRI at Belfair, LLC, d/b/a 3T MRI at Belfair appeals the decision of the Honorable S. Phillip Lenski dated March 3, 2018. Appellant received a copy of this decision on March 4, 2018.



A. Victor Rawl, Jr.

vrawl@grsm.com

Henry W. Frampton, IV

hframpton@grsm.com

GORDON & REES LLP

170 Meeting St., Suite 110

Charleston, South Carolina 29401

(843) 278-5900

March 5, 2018

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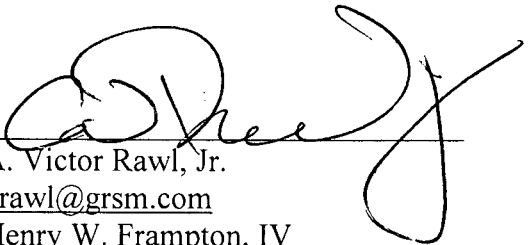
v.

South Carolina Department of Health and
Environmental Control and St. Joseph's/
Candler Imaging Center – Bluffton,

Respondents.

PROOF OF SERVICE

I certify that I have served the Notice of Appeal on St. Joseph's/Candler Imaging Center – Bluffton by depositing a copy of it in the United States Mail, postage prepaid, on March 5, 2018, addressed to its attorney of record, William R. Thomas, at his office at Parker Poe, 1221 Main Street, Suite 1100, Columbia, SC 29201.



A. Victor Rawl, Jr.

vrawl@grsm.com

Henry W. Frampton, IV

hframpton@grsm.com

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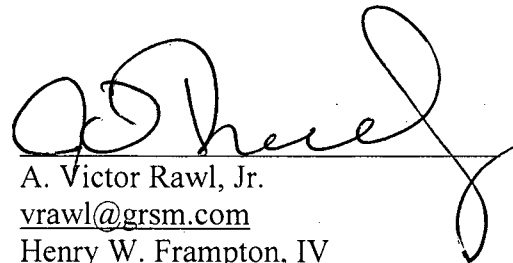
v.

South Carolina Department of Health and
Environmental Control and St. Joseph's/
Candler Imaging Center – Bluffton,

Respondents.

PROOF OF SERVICE

I certify that I have served the Notice of Appeal on the Administrative Law Court by hand-delivering copy of it to the Office of the Clerk of Court at the Edgar A. Brown Building, 1205 Pendleton Street, Suite 224, Columbia, SC 29201, on March 5, 2018.



A. Victor Rawl, Jr.

vrawl@grsm.com

Henry W. Frampton, IV

hframpton@grsm.com

GORDON & REES LLP

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March 5, 2018

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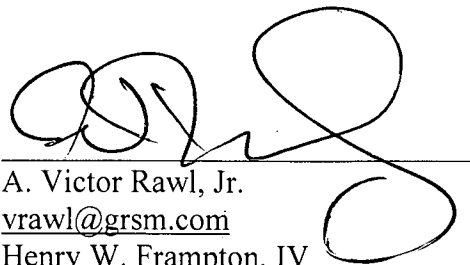
v.

South Carolina Department of Health and
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Candler Imaging Center – Bluffton,

Respondents.

PROOF OF SERVICE

I certify that I have served the Notice of Appeal on the South Carolina Department of Health and Environmental Control by depositing a copy of it in the United States Mail, postage prepaid, on March 5, 2018, addressed to its attorneys of record, Ashley C. Biggers and Vito M. Wicevic, at their office at 2600 Bull Street, Columbia, SC 29078.



A. Victor Rawl, Jr.

vrawl@grsm.com

Henry W. Frampton, IV

hframpton@grsm.com

GORDON & REES LLP

170 Meeting St., Suite 110

Charleston, South Carolina 29401

(843) 278-5900

March 5, 2018

A. VICTOR RAWL JR.

GORDON & REES
SCULLY MANSUKHANI

ATTORNEYS AT LAW
170 MEETING STREET, SUITE 110
CHARLESTON, SC 29401
WWW.GRSM.COM

March 5, 2018

BY HAND

Honorable Jenny Abbott Kitchings
Clerk
South Carolina Court of Appeals
1220 Senate Street
Columbia, SC 29201

RECEIVED

MAR 05 2018

SC Court of Appeals

Re: MRI at Belfair, LLC, d/b/a 3T MRI at Belfair v. South Carolina Department of Health and Environmental Control and St. Joseph's/Candler Imaging Center - Bluffton, Case No. 17-ALJ-07-0144-CC

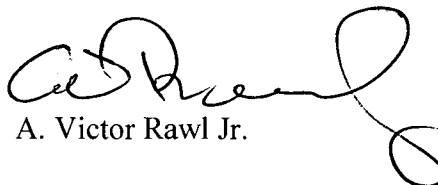
Dear Ms. Kitchings:

Enclosed for filing is a Notice of Appeal in the above case. Also enclosed are the following:

- (1) Proof of service of the notice of appeal on the Administrative Law Court, the South Carolina Department of Health & Environmental Control, and St. Joseph's/Candler Imaging Center – Bluffton;
- (2) A copy of the Order which is to be challenged on appeal;
- (3) A filing fee of \$100.

Please note that we will be filing a motion to determine appealability in short order, as we recognize that the appealability of the instant order is not clear under exiting law, and we want to be up front with the Court about why we believe the instant order is properly appealable under the circumstances.

Best regards,



A. Victor Rawl Jr.

Enclosures

March 4, 2018

Page 2

cc: Mr. William R. Thomas
Ms. Ashley C. Biggers
Mr. Vito M. Wicevic
Hon. Jana M. Shealy