

THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

APPEAL FROM GEORGETOWN COUNTY
COURT OF COMMON PLEAS

LARRY B. HYMAN, JR., CIRCUIT COURT JUDGE

Case No. 2013-CP-22-01062
Appellate Case No. 2017-000234

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SC Court of Appeals

County of Georgetown,.....Appellant,

v.

Davis & Floyd, Inc., Republic Contracting Corp., S&ME, Inc., The South Carolina
Department of Transportation and the City of Georgetown, Defendants

Of Whom

The South Carolina Department of Transportation and The City of Georgetown
Are, Respondents

**SOUTH CAROLINA ASSOCIATION OF COUNTIES
NOTICE OF MOTION AND
MOTION FOR LEAVE TO FILE AN
AMICUS CURIAE BRIEF**

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Attorneys for *Amicus Curiae*

Pursuant to Rule 213 of the South Carolina Appellate Court Rules, the South Carolina Association of Counties (the Association) respectfully submits this Motion for Leave to File a Brief of *Amicus Curiae* on behalf of Georgetown County.

I. INTEREST OF *AMICUS CURIAE*

The Association is an instrumentality of the forty-six (46) Counties of the State of South Carolina. Act No. 1383, 1968 Acts at 3193. The Association represents the collective interests of all forty-six (46) South Carolina Counties, so that they may speak with one voice. The case before this Court will affect the interests of all forty-six (46) counties in matters pertaining to the counties' constitutional and statutory right to own property free of the fear of uncompensated takings by the State or other political subdivisions. The Association's interest in this case is to provide the Court with the collective insights of all the Counties of the State pertaining to the issues in this matter.

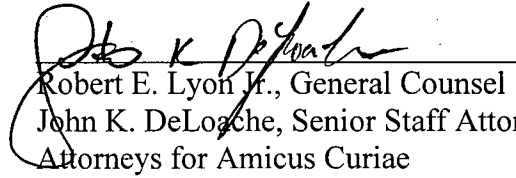
II. DESIRABILITY OF BRIEF OF *AMICUS CURIAE*

By allowing the Association to file an *Amicus Curiae* brief, the Court will preclude the need for numerous individual counties to request leave to file individual *Amicus Curiae* briefs. The participation of the Association will provide the Court of Appeals with the insight and thoughts of the Association and the counties which will be directly affected by the court's decision. The proposed Brief of *Amicus Curiae* will present arguments in support of Georgetown County.

WHEREFORE, Counsel for the Association of Counties prays this Court enter its Order permitting the Association leave to file its *Amicus Curiae* brief.

Respectfully submitted,

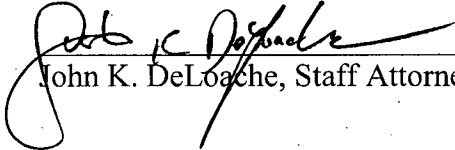
SOUTH CAROLINA
ASSOCIATION OF COUNTIES


Robert E. Lyon Jr., General Counsel
John K. DeLoache, Senior Staff Attorney
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November 20, 2018

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the above Notice of Motion and Motion for Leave to File an Amicus Curiae Brief was mailed this 20th day of November, 2018 via United States Postal Service, First Class Postage Prepaid, to the following counsel of record:


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