

STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

RECEIVED

JAN 09 2019

SC Court of Appeals

APPEAL FROM THE FIRST JUDICIAL CIRCUIT

Dorchester County Court of Common Pleas

Honorable Kristi L. Harrington, Presiding

Appellate Case No. 2018-001262

Dorchester County Taxpayers Association, individually, and on behalf of all others similarly situated; Weatherstone Property Owners Association, individually, and on behalf of all others similarly situated, George Resnick; William A. Harveson; James Stephen Green, Jr.; Homer P. Gonazales; Gerald E. Ziegler; David Messinger; and South Carolina Public Interest Foundation ..... Appellants,

v.

Dorchester County; Dorchester County Council; David Chinnis, George Bailey, Jay Byars, Willie Davis, Carroll S. Duncan, Larry Hargett and William R. Hearn, Jr., in their official capacities as members of Dorchester County Council; Town of Summerville; Summerville Town Council; William E. McIntosh III, in his official capacity; Dorchester County Sheriff; Luther C. Knight, in his official capacity; Dorchester School District Two; Dorchester School District Two Board of Trustees; Joseph R. Pye, Justin Farnsworth, Gail Hughes, Brian Mitchum, Tanya Robinson, Sam Clark, Barbara Crosby and Lisa Tupper, in their official capacities; Dorchester County School District Four; Dorchester County School District Four Board; Dorchester County Career and Technology Center; and Dorchester County Career and Technology Center Board of Trustees ..... Respondents.

DESIGNATION OF MATTER TO BE INCLUDED IN THE RECORD ON APPEAL

Kenneth A. Davis  
Christopher S. Elliott

P.O. Box 11844  
Columbia, South Carolina 29211  
Telephone: 803-254-0707  
Facsimile: 803-254-5609

Attorneys for Respondents Dorchester  
County School District Four & Dorchester  
County School District Four Board

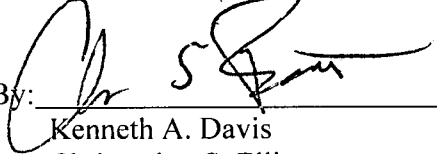
Respondents Dorchester County School District Four and Dorchester County School District Four Board (collectively "District Four") propose the following be included in the Record on Appeal:

1. Appellants' Summons and Complaint filed May 2, 2016;
2. Appellants' Amended Summons and Complaint filed May 6, 2016;
3. Exhibit 6 to Appellants' Amended Summons and Complaint filed May 6, 2016;
4. Motion to Dismiss filed August 19, 2016 by Respondents associated with Dorchester County Council and Dorchester County Sheriff's Department (hereinafter "County");
5. Motion to Dismiss filed September 15, 2016 by Respondents associated with the Town of Summerville (hereinafter "Town");
6. Consent Order of the parties filed December 28, 2016;
7. Appellants' Second Amended Summons and Complaint filed December 12, 2016;
8. Motion to Dismiss filed January 23, 2017 by County Respondents;
9. Motion to Dismiss filed January 23, 2017 by Town Respondent;
10. Motion to Dismiss filed February 3, 2017 by Respondent Phinney;
11. Motion to Dismiss filed June 21, 2017 by District Four Respondents;
12. Memorandum of Law in Support of its Motion to Dismiss filed December 11, 2017 by District Four Respondents;
13. Appellants' Memorandum in Opposition to Respondents' Motions to Dismiss filed December 12, 2017;
14. Transcript of Hearing held December 12, 2017;
15. Order granting District Four's Motion to Dismiss with prejudice filed March 15, 2018;

16. Order granting Motions to Dismiss by Respondents County, Town, and Phinney filed March 15, 2018;
17. Appellants' Motion to Alter or Amend Order granting District Four's Motion to Dismiss filed April 3, 2018;
18. Memorandum in Opposition to Appellants' Motion to Alter or Amend filed April 16, 2018 by District Four Respondent; and
19. Order filed June 11, 2018 Denying Appellants' Motion to Alter or Amend Order granting District Four's Motion to Dismiss.

Respectfully Submitted,

**BOYKIN & DAVIS, LLC**

By:   
Kenneth A. Davis  
Christopher S. Elliott

P.O. Box 11844  
Columbia, South Carolina 29211  
Telephone: 803-254-0707  
Facsimile: 803-254-5609

Attorneys for Defendants Dorchester County  
School District Four & Dorchester County  
School District Four Board

November 9, 2018  
Columbia, South Carolina

THE STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

APPEAL FROM THE FIRST JUDICIAL CIRCUIT  
Dorchester County Court of Common Pleas  
Kristi L. Harrington, Circuit Court Judge

RECEIVED  
JAN 09 2019  
SC Court of Appeals

Appellate Case No. 2018-001262

Dorchester County Taxpayers Association, individually, and on behalf of all others similarly situated; Weatherstone Property Owners Association, individually, and on behalf of all others similarly situated, George Resnick; William A. Harveson; James Stephen Green, Jr.; Homer P. Gonazales; Gerald E. Ziegler; David Messinger; and South Carolina Public Interest Foundation ..... Appellants,

v.

Dorchester County; Dorchester County Council; David Chinnis, George Bailey. Jay Byars, Willie Davis, Carroll S. Duncan, Larry Hargett and William R. Hearn, Jr., in their official capacities as members of Dorchester County Council; Town of Summerville; Summerville Town Council; William E. McIntosh III, in his official capacity; Dorchester County Sheriff; Luther C. Knight, in his official capacity; Dorchester School District Two; Dorchester School District Two Board of Trustees; Joseph R. Pye, Justin Farnsworth, Gail Hughes, Brian Mitchum, Tanya Robinson, Sam Clark, Barbara Crosby and Lisa Tupper, in their official capacities; Dorchester County School District Four; Dorchester County School District Four Board; Dorchester County Career and Technology Center; and Dorchester County Career and Technology Center Board of Trustees ..... Respondents.

CERTIFICATE OF SERVICE

The undersigned of Boykin & Davis, LLC., hereby certifies that he has served the following counsel of record with the foregoing **DESIGNATION OF MATTER TO BE INCLUDED IN THE RECORD ON APPEAL**, by mailing a copy of same, postage prepaid and return address clearly indicated, to the following on this 9th day of January 2019.

W. Andrew Gowder, Jr., Esq.  
Pratt-Thomas Walker, P.A.  
1629 Meeting Street Road  
Charleston, SC 29405

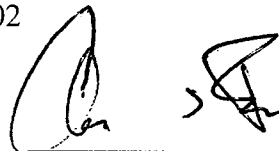
Michael T. Rose, Esq.  
Mike Rose Law Firm, PC  
406 Central Avenue  
Summerville, South Carolina 29483

David L. Morrison, Esq.  
Morrison Law Firm, LLC  
7453 Irmo Drive, Suite B  
Columbia, South Carolina 29212

Drew Hamilton Butler, Esq.  
Anthony E. Rebollo, Esq.  
Richardson, Plowden, Carpenter & Robinson, P.A.  
P.O. Drawer 7788  
Columbia, South Carolina 29202

Erik P. Doerring, Esq.  
McNair Law firm, P.A.  
P.O. Box 11390  
Columbia, SC 29211

William H. Davidson, Esq.  
Davidson & Lindemann PA  
P.O. Box 8568  
Columbia, SC 29202

A handwritten signature in black ink, appearing to read 'Chris Elliott', is written over a horizontal line.

Christopher S. Elliott

# BOYKIN & DAVIS, LLC

Attorneys and Counselors at Law

220 STONERIDGE DRIVE, SUITE 100  
COLUMBIA, SOUTH CAROLINA 29210

TELEPHONE: 803-254-0707  
FACSIMILE: 803-254-5609

POST OFFICE BOX 11844  
COLUMBIA, SOUTH CAROLINA 29211

Christopher S. Elliott  
celliott@boykinlawsc.com

January 9, 2019

**VIA HAND-DELIVERY**

The Honorable Jenny Kitchings  
Clerk of Court  
1220 Senate Street  
Columbia, South Carolina 29211

**RECEIVED**  
JAN 09 2019  
SC Court of Appeals

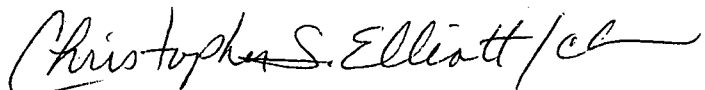
Re: Dorchester County Taxpayers Association, et al. v. Dorchester County, et al.  
Lower Court C.A. No.: 2016-CP-18-838  
Appellate Case No. 2018-001262

Dear Ms. Kitchings:

Enclosed herewith please find the original and one copy of Defendants Dorchester County School District Four and its Board of Trustees' Initial Brief and Designation of Matter regarding the above-referenced matter. Please return a time-stamped copy to our courier of each.

Thank you for your assistance in this matter.

Sincerely,

  
Christopher S. Elliott

/clm

Enclosures

cc: W. Andrew Gowder, Jr., Esq. (w/encls.)  
Michael T. Rose, Esq. (w/encls.)  
David L. Morrison, Esq. (w/encls.)  
Drew Hamilton Butler, Esq. (w/encls.)  
Anthony E. Rebollo, Esq. (w/encls.)  
Erik P. Doerring, Esq. (w/encls.)  
William H. Davidson, Esq. (w/encls.)  
Kenneth A. Davis, Esq. (w/o encls.)