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THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

APPEAL FROM RICHLAND COUNTY
Court of Common Pleas

The Honorable Walton J. McLeod, Circuit Court Judge

CASE NO. 09-CP-40-01307
CASE NO. 13-CP-40-02159

Frieda H. Dortch, Appellant,

v.

City of Columbia, Planning & Development Services/Zoning Division a/k/a City of Columbia
Board of Zoning Appeals, Respondent.

MOTION AND AFFIDAVIT IN SUPPORT OF MOTION
TO EXCEED PAGE LIMIT

M. Baron Stanton (S.C. Bar #7970)
STANTON LAW OFFICES, P.A.
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ATTORNEY FOR APPELLANT
FRIEDA H. DORTCH

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OCT 16 2019
SC Court of Appeals

Appellant Dortch moves the Court for an order granting leave to exceed the page limit for Appellant's Brief, putting the limit at 65. The current limit set by rule is 50. Opposing counsel has been consulted and cannot consent.

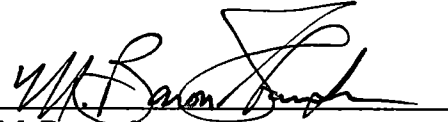
The grounds for this motion, which the undersigned hereby swears and affirms are correct, are that good cause exists, to wit, despite efforts to be concise, the background of the case, the nature of the issues, the characteristics of the appeal, and the need for numerous sections with headings require additional pages in order for the brief to be properly presented.

The appeal arises from two Circuit Court cases. One involves two different proceedings before a municipal board of zoning appeals and the other involves a third proceeding before the municipal board. Each board proceeding has an ostensible record requiring discussion. During years preceding this appeal, there was an appeal to the Court of Appeals and two different orders of the Circuit Court were vacated by the Circuit Court.

The proceedings stretch over ten years, and the constitutionality of a zoning ordinance is challenged on both state and federal grounds, with there being distinctions made between the two. Additionally, separately, relative to an additional issue on appeal, the constitutionality of a scope of review prescribed in state statute is challenged. It is expected that there will be numerous other subsidiary or independent issues on appeal each needing discussion. It appears the brief will require approximately nineteen pages of factual and procedural background, broken up with headings to make it readable, and that discussion of one of the scopes of review will require about an extra six pages. For these reasons leave to exceed the ordinary limit by as much as 15 pages is requested.

Appellant additionally consents in the event Respondent similarly needs to exceed the ordinary limit.

Respectfully submitted,



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ATTORNEY FOR APPELLANT
FRIEDA H. DORTCH

Comes before me on 16th of October, 2019,
M. Baron Stanton, who, being duly sworn, states
that the foregoing grounds are true of his own knowledge.

Amando L. Dora
Notary Public for S.C.
My comm'n exp. 9/28/27

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Frieda H. Dortch, Appellant,

v.

City of Columbia, Planning & Development Services/Zoning Division a/k/a City of Columbia
Board of Zoning Appeals, Respondent.

CERTIFICATE OF SERVICE

I, M. Baron Stanton, do hereby certify that I have, on October 16, 2019,
served the foregoing **Motion** upon the Respondent by causing a copy thereof to be mailed with
proper postage to the address indicated below:

Peter M. Balthazor, Esquire
P. O. Box 11412
Columbia, SC 29211


M. Baron Stanton

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October 17, 2019

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M. BARON STANTON
ATTORNEY AT LAW

BY HAND

The Honorable Jenny Abbott Kitchings
Clerk, South Carolina Court of Appeals
P. O. Box 11629
Columbia, SC 29211

Re: **Frieda H. Dortch**, Appellant v. City of Columbia, Planning & Development
Services/Zoning Division a/k/a City of Columbia Board of Zoning Appeals,
Respondent
Case No. 09-CP-40-1307
Case No. 13-CP-40-02159
Appellate Case No. 2019-000868

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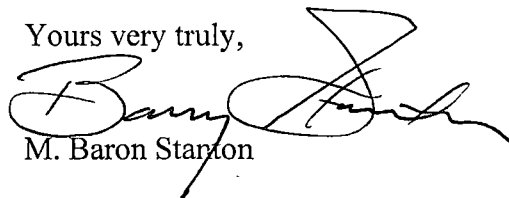
Dear Ms. Kitchings:

We enclose the following:

1. The original and six (6) copies of a motion and affidavit in support of motion to exceed page limit (including in the document, the affidavit and certificate of service); and
2. The motion fee of \$50.

With kind regards,

Yours very truly,


M. Baron Stanton

MBS:dmy
Enclosures

cc w/encl.: Peter M. Balthazor, Esquire

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