

THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

APPEAL FROM GREENVILLE COUNTY
COURT OF COMMON PLEAS
The Honorable Charles B. Simmons, Jr., Master-in-Equity
Appellate Case No.: 2018-002255

James Mikell "Mike" Burns,
Garry R. Smith and Dwight A.
Loftis,

Appellants,

v.

Greenville County Council
and Greenville County

Respondents.

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S.C. SUPREME COURT

MOTION TO AMEND APPELLANTS FINAL BRIEF

Whereas, in preparing the Record on Appeal and Appellant's Final Brief, counsel for the Appellant's determined that Appellant's Table of Contents omitted an issue set forth in the Body of Appellant's Brief, to wit; "The Ordinances were not a valid exercise of the County's Authority".

Further, on Page 9 of the Brief the statement "The Appellant's promptly asked for an Attorney's General Opinion on the legality of these actions" was not supported by the Record on Appeal and should be deleted.

Further starting on Page 13 of Appellant's Initial Brief the April 4, 2017 minutes were not included in the Record on Appeal and that quotation should be deleted from the Brief.

Further on Page 20 of Appellant's Initial Brief the caption for argument II misstates the argument and should be amended to accurately reflect the argument and the issues as set forth in the Statement of Issues, which read as follows "The Ordinances at Issue Failed to Carry Sufficient Votes to be Enacted and are Therefore Invalid." Accordingly, the caption should read, "The Ordinances at Issue Were Not a Valid Exercise of the County's Authority." The change to the caption does not alter the issue presented or the argument made.

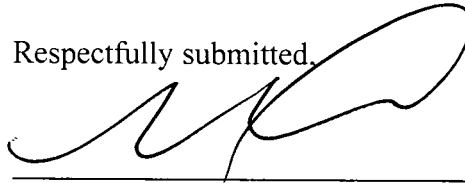
Lastly, the argument caption on Page 30 should indicate it is question III and the caption on

Page 32 should indicate it is question IV.

Appellants are informed and believe Respondents counsel has no objection to the changes proposed by the Appellants.

Wherefore, Appellants move to Amend Appellant's Final Brief as shown on the attached and to allow an extension of time of 15 days from the date of such order allowing said amendment to serve and file the Appellant's Final Brief.

Respectfully submitted,



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October 29, 2019

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CERTIFICATE OF SERVICE

I certify that on October 29, 2019, I served the Motion to Amend Appellant's Final Brief on the Respondents by placing a copy of same into the United State Mail, first class postage pre-paid, addressed to counsel of records as indicated below, and by facsimile if so indicated:

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October 29, 2019