

THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

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Appeal from the Administrative Law Court  
Honorable S. Phillip Lenski, Administrative Law Judge

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Appellate Case No. 2019-001282

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Richard J. Hook,

Respondent,

vs.

South Carolina Department of Health and Environmental Control  
and Phillip Patterson,

Of Which South Carolina Department of Health and Environmental  
Control is the Appellant and Phillip Patterson is the Respondent.

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Appellant South Carolina Department of Health  
and Environmental Control's  
***Designation to be Included in the  
Record on Appeal***

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SC Court of Appeals

Appellant South Carolina Department of Health and Environmental Control proposes the following be included in the Record on Appeal:

1. Dock Master Plan General Permit;
2. *Final Order and Decision* dated November 13, 2003 (Judge Anderson);
3. *Final Administrative Order*, (dated May 28, 2004) issued by the South Carolina Coastal Zone Management Appellate Panel ("CZ Appellate Panel");
4. Ford Development's permit amendment request for the dock at Lot 9 (dated August 13, 2004);
5. Denial Letter from Curtis Joyner dated December 13, 2004;
6. *Consent Order of Dismissal* dated February 9, 2005;
7. Hook Request for Contested Case dated March 30, 2017;
8. Hook Prehearing Statement (*pro se*) dated June 23, 2017;
9. Hook Amended Prehearing Statement dated October 17, 2017;

10. Patterson Prehearing Statement;
11. Hook's *Motion to Enforce* the 2005 Consent Order (with attachments) dated October 20, 2017;
12. Hook's Counsel's Cover letter for *Motion to Enforce* Consent Order;
13. SCDHEC's *Return to Petitioner's Motion to Enforce Consent Order* (with all attachments) dated November 13, 2017;
14. Patterson *Return to the Motion to Enforce* the 2005 Consent Order dated November 10, 2017;
15. SCDHEC's *Rule 19(A) Motion* (dated November 30, 2017);
16. SCDHEC's *Department's Supplemental Brief Addressing the ALC's Scope of Authority to Order DHEC to Reimburse Costs for Dock Removal* dated September 27, 2018;
17. Respondent Patterson's *Supplemental Brief* dated September 28, 2018;
18. *Petitioner's Response to Court's Request for Information Regarding Petitioner's Attorney's Fees* dated September 28, 2018;
19. *Order Granting Petitioner's Motion to Enforce the Consent Order and Denying Respondent DHEC's 60(B)(5), SCRC Motion* dated May 3, 2019;
20. Patterson's *Pro Se Motion to Reconsider* dated May 22, 2019;
21. SCDHEC's *Motion to Reconsider* (with all attachments) dated May 28, 2019;
22. *Department's Return to Respondent Patterson's Motion to Reconsider and Supplement to Department's Motion to Reconsider* dated June 3, 2019;
23. *Petitioner's Return to Respondent DHEC's Motion to Reconsider* dated June 6, 2019;
24. *Amended Order Granting Petitioner's Motion to Enforce the Consent Order and Denying Respondent DHEC's 60(B)(5), SCRC Motion* dated July 2, 2019;
25. *Notice of Appeal* by SCDHEC dated July 31, 2019;
26. First Amendment to Declaration of Covenants, Conditions and Restrictions for Belle Terre;
27. Judge Lenski's June 7, 2019, *Order Granting Respondent Stevens Towing Company's Motion to Lift Stay* in Gregg Karolcyk and Gayle Karolcyk, et al. v. SCDHEC and Stevens Towing Company (Docket No. 18-ALJ-07-0241-CC);
28. Transcript Page 50:8 to 50:21;
29. Transcript Page 4:2 to 4:10.

I certify that this designation contains no matter which is irrelevant to this appeal.

Respectfully submitted,

*Bradley D. Churdar*

Bradley D. Churdar, SC Bar # 12829  
Associate General Counsel

*Joseph S. Pedersen*  
(SC Bar #001686)

**SOUTH CAROLINA DEPARTMENT OF  
HEALTH AND ENVIRONMENTAL CONTROL**

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December 2, 2019  
Charleston, South Carolina

*Attorney for Respondent  
South Carolina Department of Health  
and Environmental Control*

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South Carolina Department of Health and Environmental Control  
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Of Which South Carolina Department of Health and Environmental  
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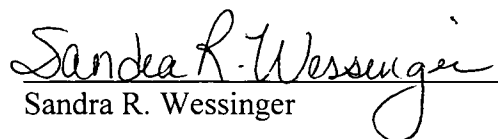
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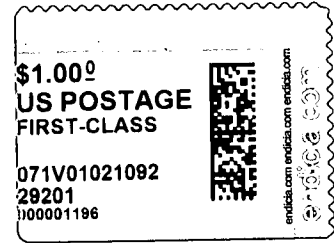
I, Sandra R. Wessinger, Paralegal with the South Carolina Department of Health and Environmental Control, hereby certify that I have this 2nd day of December, 2019, served the foregoing *South Carolina Department of Health and Environmental Control's Initial Brief of Appellant and Designation to be Included in the Record on Appeal* upon all counsel of record by placing a copy of same in an envelope and depositing it for delivery in the United States mail with sufficient postage prepaid, at the address indicated below:

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Angelica M. Colwell, Esquire  
Nexsen Pruet  
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Phillip Brent Patterson  
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Sandra R. Wessinger

December 2, 2019



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SC Court of Appeals

Honorable Jenny Abbott Kitchens  
Clerk, South Carolina Court of Appeals  
Post Office Box 11629  
Columbia, South Carolina 29211

