

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM CHARLESTON COUNTY
Court of Common Pleas

Edward W. Miller, Circuit Court Judge

Case No.: 2017-CP-10-4947
Appellate Case No.: 2019-001843

Dana and John Stortz,.....Appellants,

v.

The State of South Carolina, City of North Charleston, County of Charleston, Department of Health and Environmental Control, South Carolina Department of Transportation, John Doe (Engineering Firm/Engineer), Coosaw Creek Owners' Association, Inc.,.... Defendants.

Of which State of South Carolina, City of North Charleston, County of Charleston, Department of Health and Environmental Control, South Carolina Department of Transportation, and Coosaw Creek Owners' Association, Inc. are the Respondents.

DESIGNATION OF MATTER
TO BE INCLUDED IN THE RECORD ON APPEAL

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Appellant proposes the following to be included in the Record on Appeal:

IAN 07 2020

SC Court of Appeals

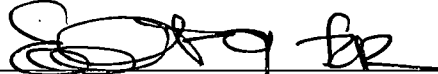
1. Complaint (2017-CP-10-4947);
2. Complaint (2018-CP-10-4961);
3. Council of Federated Organizations v. Mize, 339 F.2d 898 (1964);
4. Dailey v. Payne, 539 F.2d 705 (Ct. App. 1976);
5. Durgin v. Graham, 372 F.2d 130 (1967);
6. Durham v. Florida East Coast Ry. Co., 385 F.2d 366 (Ct. App. 1967);
7. Edsall v. Penn Central Transportation Co., 479 F.2d 33, 35 (6th Cir. 1973);
8. First Amended Complaint (2017-CP-10-4947);
9. Flaska v. Little River Marine Construction Co., 389 F.2d 885 (Ct. App. 1968);
10. In re Miller, 393 S.C. 248, 256, 713 S.E.2d 253, 257 (2011);

11. Kiriakides v. Sch. Dist. of Greenville Cnty., 382 S.C. 8, 20, 675 S.E.2d 439, 445 (2009);
12. Link v. Wabash, 370 U.S. 626, 82 S. Ct. 1386 (1962);
13. Motion to Consolidate Cases (2017-CP-10-4947);
14. Pearson v. Dennison, 353 F.2d 24, 28 (9th Cir. 1965)
15. Second Amended Complaint (2017-CP-10-4947);
16. Transcript of Proceedings; and
17. Woodham v. American Cycstoscope Company of Pelham, 335 F.2d 551 (Ct. App. 1964).

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

Respectfully submitted,

WIGGER LAW FIRM, INC.



Jarrel L. Wigger, Esquire
8086 Rivers Avenue
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843-553-9800
Attorney for the Appellant

January 6, 2020

THE STATE OF SOUTH CAROLINA
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PROOF OF SERVICE

I certify that I have served one copy of the Initial Brief and Designation of Matter to be Included in the Record on Appeal on Counsel for the Appellants, by depositing a copy of it in the United States Mail, postage prepaid, on January 6, 2019, addressed to I. Keith McCarty located at 1212 Wappoo Road Charleston, South Carolina 29407.

January 6, 2019


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By National Board of Trial Advocacy

January 6, 2020

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JAN 07 2020
SC Court of Appeals

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

RE: Dana and John Stortz, Appellants, v. The State of South Carolina, City of North Charleston, County of Charleston, Department of Health and Environmental Control, South Carolina Department of Transportation, John Doe (Engineering Firm/Engineer), Coosaw Creek Owners' Association, Inc., Defendants.

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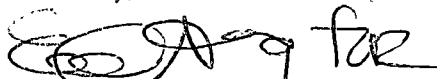
Trial Court Case No: 2017CP1004947
Appellate Case No. 2019-001843

Dear Ms. Kitchings:

Enclosed please find the originals and two copies each of the Appellant's Initial Brief, Proof of Service and Designation of Matter to be Included in the Record on Appeal in the above referenced matter. Please return a clocked copy of the Brief, Proof of Service and Designation to me in the envelope I have enclosed for your convenience.

By copy of this letter I have provided same to counsel for the Respondents.

Sincerely,


Jarrel L. Wigger, Esquire

JLW/rbp
Enclosures

cc: Other Counsel of Record:

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FedEx Package Express **US Airbill** 8153 8215 5951

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4 Express Package Service

1 From
Date 1/6/2020
Sender's Name Rebecca Powell Malcom Phone 843 852-7800
Company NIGGER LAW FIRM INC
Address 1036 RIVERS AVE STE A
City CHARLESTON State SC

2 of 3 Business Days
 FedEx First Overnight
 FedEx Priority Overnight
 FedEx Standard Overnight
 FedEx 2Day A.M.
 FedEx 2Day
 FedEx Express Saver

2 Your Internal Billing Reference Startz **JAN 07 2020**

6 Special Handling and Delivery Signature Options

3 To Recipient's Home
Company South Carolina Court of Appeals
Address 1720 Senate Street
City Columbia State SC ZIP 29201

7 Payment Bill to: Sender Recipient Third Party



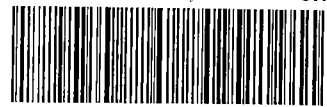
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PRIORITY OVERNIGHT

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