

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM JASPER COUNTY
Court of Common Pleas

Carmen T. Mullen, Circuit Court Judge

Appellate Case No. 2019-001107

Trial Court Case No. 2017CP2700440

RECEIVED

JAN 09 2020

SC Court of Appeals

Thomas Ford, III,

Appellant,

v.

Town of Hardeeville,

Respondent.

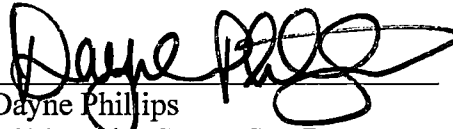
**DESIGNATION OF MATTER TO BE
INCLUDED IN THE RECORD ON APPEAL**

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

1. Ticket No. 20161170000854
2. Magistrate Court Judge's Return dated March 1, 2018
3. Appellant's Response to the Return dated April 24, 2018
4. Exhibits A – F attached to Appellant's Response: (A) DVD–video recordings and pdf files; (B) CD-R–audio recording of bench trial; (C) Affidavit for Failure to Produce a Breath Side Video; (D) SLED Regulation 8.12.7; (E) Breath Alcohol Analysis Test Report; and (F) SLED Regulation 8.12.5.
5. Respondent's Reply Brief dated August 24, 2018
6. Notice of Appeal in the Fourteenth Judicial Circuit (2017-CP-27-00440)
7. Transcript of Proceedings dated December 17, 2018
8. Form 4 Order Denying Appeal dated June 14, 2019

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

January 9, 2020


Dayne Phillips
1614 Taylor Street, Ste. D.
Columbia, South Carolina 29072
(803) 807-0234
dayne@pricebenowitz.com

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM JASPER COUNTY
Court of Common Pleas

Carmen T. Mullen, Circuit Court Judge

Appellate Case No. 2019-001107

Trial Court Case No. 2017CP2700440

RECEIVED

JAN 09 2020

SC Court of Appeals

Thomas Ford, III,

Appellant,


v.

Town of Hardeeville,


Respondent.

CERTIFICATE OF SERVICE

The undersigned Counsel certifies that a true copy of the Initial Brief of Appellant and Designation of Matter to be included in the Record on Appeal has been served upon **Ms. Prina C. Maines** and **Justin D. Maines**, Esquire, at **2008 Whitaker Street, Savannah, GA 31401**, and upon Thomas Ford, III, at 1613 Baldwin Road, Lugoff, SC 29078, on **January 9, 2020**.


Dayne Phillips
PRICE RENOWITZ LLP
1614 Taylor Street, Ste. D.
Columbia, SC 29201
(803) 807-0234
Attorney for Appellant

SUBSCRIBED AND SWORN TO before me
this 9th day of January, 2020.


Notary Public for South Carolina
My Commission Expires: May 2, 2027.

PRICE BENOWITZ LLP

DAVID BENOWITZ
ADMITTED DC, MD & VA
KERRI CASTELLINI
ADMITTED DC & MD
KUSH ARORA
ADMITTED MD & DC
JOHN YANNONE
ADMITTED MD & DC
SHAWN SUKUMAR
ADMITTED DC
VIRGINIA TEHRANI
ADMITTED DC, MD & VA
JEANNINE GOMEZ
ADMITTED DC
TAMMY BEGUN
ADMITTED MD
TONY MUNTER
ADMITTED DC & MA
JESSE STEIN
ADMITTED DC, MD, VA & NY
FARRAL HABER
ADMITTED FL, VA & DC
ARREN WALDREP
ADMITTED DC, MD & SC
BRIAN SNYDER
ADMITTED DC & VA
MOHSEN ZARKESH
ADMITTED DC
MATTHEW WILSON
ADMITTED MD & DC
DAVID CLARK
ADMITTED PA
FLOYD OLIVER
ADMITTED VA

1614 TAYLOR STREET
SUITE D
COLUMBIA, SC 29201

OFFICE: (803) 272-4503
DIRECT: (803) 807-0234
FAX: (803) 380-8035

SETH PRICE
ADMITTED DC & NY
DAYNE PHILLIPS
ADMITTED SC
*GLENN F. IVEY
ADMITTED DC & MD
KARIN RILEY PORTER
ADMITTED VA
STEVEN L. DUCKETT, JR.
ADMITTED VA
JOEL NIED
ADMITTED VA, PA & GA
SETH OKIN
ADMITTED MD
OLEG FASTOVSKY
ADMITTED MD
MITCHELL GREENBERG
ADMITTED MD & DC
NATALIA SEGERMEISTER
ADMITTED NY
MARY NERINO
ADMITTED VA
PATRICK WOOLLEY
ADMITTED VA
NICHOLAS M. BRASWELL
ADMITTED VA
MICHAEL HARTLEY
ADMITTED VA
ANDREW LINDSEY
ADMITTED VA
MEGHAN GOSLINE
ADMITTED MD & VA

*OF COUNSEL

110 NORTH WASHINGTON STREET, SUITE 303
ROCKVILLE MD 20850

RECEIVED

JAN 09 2020

SC Court of Appeals

10505 JUDICIAL DRIVE, SUITE 101
FAIRFAX, VA 22030

January 9, 2020

Via Hand Delivery

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

Re: **Thomas Ford, III v. Town of Hardeeville**
INITIAL BRIEF OF APPELLANT
Appellate Case No.: 2019-001107

Dear Ms. Kitchings:

I have enclosed an original and one copy of the Initial Brief of Appellant and Designation of Matter in the above-referenced case, along with a Certificate of Service for filing.

I would greatly appreciate you filing the original and returning the clocked-in copy to the person filing the same. Thank you for your assistance with filing these documents.

[Signature Page to Follow]

WWW.SCCRIMINALLAWS.COM

WWW.PRICEBENOWITZ.COM

Thomas Ford, III v. Town of Hardeeville

INITIAL BRIEF OF APPELLANT

Appellate Case No.: **2019-001107**

January 9, 2020

Page 2 of 2

If you have any questions or concerns, please do not hesitate to contact me.

Sincerely,



Dayne C. Phillips, Esq.

PRICE BENOWITZ LLP
1614 Taylor Street, Suite D.
Columbia, SC 29201
O: 803-272-4503
C: 803-807-0234
F: 803-380-8035
dayne@pricebenowitz.com

Enclosures (noted)

cc: **Thomas Ford, III**
Prina C. Maines, Esq.
Justin D. Maines, Esq.