

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

APPEAL FROM CHARLESTON COUNTY  
Court of Common Pleas

Deadra L. Jefferson, Circuit Court Judge

Case No. 2019-CP-10-1434  
Appellate Case No. 2019-001910

**RECEIVED**

**May 05 2020**

**SC Court of Appeals**

David Abdo,

Appellant,

v.

City of Charleston and  
Board of Zoning Appeals-Zoning,

Respondents.

RESPONDENTS' DESIGNATION OF MATTER TO BE INCLUDED IN THE RECORD ON  
APPEAL

Respondents City of Charleston and Board of Zoning Appeals-Zoning (collectively, "Respondents") propose the following matters be included in the Record on Appeal:

1. Order on Appeal filed October 14, 2019;
2. Appellant's Notice and Petition for Appeal Pursuant to S.C. Code Ann. Section 6-29-820, filed March 20, 2019;
3. Respondents' Answer & Response to Notice & Petition for Appeal filed April 22, 2019;
4. Record on Appeal filed April 22, 2019;
5. Respondents' Memorandum of Law in Opposition to Appeal filed July 24, 2019;
6. Transcript of BZA Hrg. dated February 21, 2019, filed on March 21, 2019;
7. Transcript of July 30, 2019 hearing before the circuit court;
8. Notice of Appeal with Proof of Service dated November 13, 2019.

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

May 4, 2020

s/Daniel S. McQueeney, Jr.  
Daniel S. ("Chip") McQueeney, Jr. (S.C. Bar No. 06802)  
Email: mcqueeneyd@charleston-sc.gov  
50 Broad Street  
Charleston, South Carolina 29401  
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**Attorneys for Respondents City of Charleston and Board of  
Zoning Appeals-Zoning**

THE STATE OF SOUTH CAROLINA  
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PROOF OF SERVICE

I certify that I served the Initial Brief and Designation of Matter of Respondents City of Charleston and Board of Zoning Appeals-Zoning (collectively, "Respondents") on Appellant David Abdo, by e-mail to his counsel-of-record, John A. Massalon, on May 4, 2020. See S.C. Sup. Ct. Order No. 2020-03-20-01(g)(3). A copy of the email is attached hereto and incorporated herein by reference as Exhibit 1.

May 4, 2020

s/Daniel S. McQueeney, Jr.  
Daniel S. ("Chip") McQueeney, Jr.  
S.C. Bar No. 06802  
City of Charleston  
50 Broad Street  
Charleston, South Carolina 29401  
E-mail: mcqueeneyd@charleston-sc.gov  
(843) 724-3730  
Attorney for Respondents City of Charleston and  
Board of Zoning Appeals-Zoning

**McQueeney, Daniel**

Exhibit 1

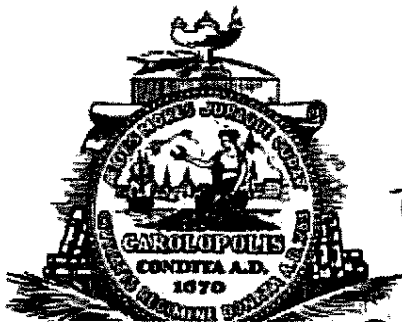
**From:** McQueeney, Daniel  
**Sent:** Monday, May 4, 2020 6:45 PM  
**To:** John A. Massalon  
**Subject:** Appellate Case No. 2019-001910, Abdo v. City of Charleston  
**Attachments:** City's Initial Br & DOM 5-4-2020.pdf

John:

Attached for service upon you, please find a copy of Respondents' Initial Brief and Designation of Matter, as well as a copy of the cover letter to the Clerk of Court and proof of service of same. Hope you are well! Thank you.

Chip

**Daniel S. ("Chip") McQueeney, Jr.** | Assistant Corporation Counsel  
City of Charleston | Legal Department  
50 Broad Street | Charleston, SC 29401  
T: 843-724-3730 | F: 843-724-3706 | [mcqueeneyd@charleston-sc.gov](mailto:mcqueeneyd@charleston-sc.gov) | [www.charleston-sc.gov](http://www.charleston-sc.gov)

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*City of Charleston*

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May 4, 2020

**VIA FACSIMILE ONLY TO (803) 734-1839**

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

**RECEIVED**

**May 05 2020**

**SC Court of Appeals**

RE: David Abdo v. City of Charleston  
Appellate Case No. 2019-001910

Dear Ms. Kitchings:

Please be advised that I represent Respondents City of Charleston and Board of Zoning Appeals-Zoning ("Respondents") in the above-referenced matter. Attached for filing, please find a copy of Respondents' Initial Brief and Designation of Matter, along with Proof of Service of same on all other counsel of record by email. Pursuant to Section (g)(3) of Order No. 2020-03-20-01 of the Supreme Court of South Carolina, a copy of the sent email is attached as Exhibit 1 to the Proof of Service.

Thank you for your consideration. With kindest regards, I am,

Very Truly Yours,

s/Daniel S. McQueeney, Jr.  
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c: John A. Massalon (by email only)