

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

RECEIVED

APPEAL FROM THE ADMINISTRATIVE LAW COURT

OCT 23 2020

SC Court of Appeals

The Honorable H.W. Funderburk, Jr.

Appellate Case No. 2016-002136

GENE B. SCHWIERSRespondent,

vs

SOUTH CAROLINA DEPARTMENT OF HEALTH
AND ENVIRONMENTAL CONTROL and STEWART W. HEATH.....Respondents below,

OF WHOM SOUTH CAROLINA DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL
IS THE RESPONDENT,

AND

STEWART W. HEATH IS THE APPELLANT.

MEMORANDUM IN SUPPORT OF MOTION
PURSUANT TO RULE 222(b)

Pursuant to the Authority set forth in Rule 222(b) *South Carolina Rules of Appellate Procedure*, the Appellant Stewart W. Heath requests that the allowable costs incurred by him be taxed against the Respondent Gene B. Schwiers.

Respectfully submitted:



E. LeRoy Nettles, III
NETTLES, TURBEVILLE & REDDECK
Post Office Box 699/261 Kelley Street
Lake City, South Carolina 29560
Telephone: 843-374-8511
Facsimile: 843-374-3211
Attorney for Appellant Stewart W. Heath

October 21, 2020
Lake City, SC

THE STATE OF SOUTH CAROLINA

In the Court of Appeals

APPEAL FROM THE ADMINISTRATIVE LAW COURT

The Honorable H.W. Funderburk, Jr.

Appellate Case No. 2016-002136

RECEIVED
OCT 23 2020
SC Court of Appeals

GENE B. SCHWIERSRespondent,

vs

SOUTH CAROLINA DEPARTMENT OF HEALTH
AND ENVIRONMENTAL CONTROL and STEWART W. HEATH.....Respondents below,

OF WHOM SOUTH CAROLINA DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL
IS THE RESPONDENT,

AND


STEWART W. HEATH IS THE APPELLANT.

PROOF OF SERVICE

The undersigned attorney for Appellant Stewart W. Heath hereby certify that they have served a true copy of the **MOTION FOR COSTS PURSUANT TO RULE 222(b), MEMORANDUM IN SUPPORT OF MOTION PURSUANT TO RULE 222(b), AND ITEMIZED STATEMENT OF COSTS PURSUANT TO RULE 222(b)** upon all counsel of record by depositing the same in the United States Mail, postage prepaid this 21 day of October, 2020, addressed to as follows:

Bradley D. Churdar, Esq.
Attorney for Respondent
South Carolina Department of Health &
Environmental Control
1362 McMillan Avenue, Suite 400
Charleston, SC 29405

Burl F. Williams, Esq.
Attorney for Respondent
Gene B. Schwiers
201 River Place, Suite 500
Greenville, SC 29601


E. LeRoy Nettles, III
NETTLES, TURBEVILLE & REDDECK
Post Office Box 699/261 Kelley Street
Lake City, South Carolina 29560
Telephone: 843-374-8511
Facsimile: 843-374-3211
Attorney for Appellant Stewart W. Heath

RECEIVED

OCT 23 2020

SC Court of Appeals

LAW OFFICES

NETTLES, TURBEVILLE & REDDECK

P. O. BOX 699
261 KELLEY STREET
LAKE CITY, SOUTH CAROLINA 29560

E. LEROY NETTLES
ELBERT K. TURBEVILLE
LARRY G. REDDECK
MARIAN D. NETTLES
E. LEROY NETTLES, III LEE@NTRlaw.com

843-374-8511
843-493-2221
FAX: 843-374-3211

October 21, 2020

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

RE: *Gene B. Schwiers, Respondent vs. South Carolina Department of Health and Environmental Control and Stewart W. Heath, Respondents below, Of Whom South Carolina Department of Health and Environmental Control is the Respondent, and Stewart W. Heath is the Appellant.*
Appellate Case No. 2016-002136

Dear Ms. Kitchings:

Enclosed herein, please find the following documents relative to the above-referenced case:

1. Original and six (6) copies of the Motion for Costs Pursuant to Rule 222(b), Memorandum in Support of Motion Pursuant to Rule 222(b), and Itemized Statement of Costs Pursuant to Rule 222(b);
2. Original and one (1) copy of my Proof of Service;
3. \$50.00 filing fee;

I have enclosed an additional copy of each document, which I would appreciate your clocking and returning to me in the self-addressed, stamped envelope provided for your use. Under cover of a separate copy of this letter, I am serving opposing counsel for the Respondent Gene B. Schwiers and Counsel for South Carolina Department of Health and Environmental Control as reflected by my Proof of Service.

With my best regards, I am

Yours very truly,

NETTLES, TURBEVILLE & REDDECK



E. LeRoy Nettles, III

ELN:smg
Enclosures

cc: Bradley D. Churdar, Esquire
Burl F. Williams, Esquire
Stewart W. Heath



ELN

LAW OFFICES Nettles Turbeville, & Reddeck	P.O. BOX 699 LAKE CITY, SC 29560 (843) 374-8511
To: The Honorable Jenny Abbott Kitchings Clerk, South Carolina Court of Appeals Post Office Box 11629 Columbia, SC 29211	
FIRST CLASS MAIL	

RECEIVED
OCT 23 2020
SC Court of Appeals

