

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM HORRY COUNTY
Court Of Common Pleas
R. Markley Dennis, Jr., Circuit Court Judge

Case No. 2018CP2600120

East Cherry Grove Co., LLC; and
Ray & Nixon, LLC, Respondents,

v.

State of South Carolina; South Carolina Department of Health and Environmental Control; and
Matt Leonhard, Defendants,
of whom

The State of South Carolina is Appellant.

NOTICE OF APPEAL

The State of South Carolina appeals the attached Amended Final Order of the Honorable R. Markley Dennis dated December 21, 2020, and his attached Final Order of October 28, 2020. The Appellant received written notice of those Orders on those respective dates. The December 21 Order was issued in response to the State's Motion to Alter or Amend which was served and filed on November 6, 2020, as to the October 28 Order.

/s J. EMORY SMITH, JR.
S.C. Bar No. 5262
Deputy Solicitor General

ALAN WILSON
Attorney General
[Signature block and copy list continues next page]

RECEIVED
Jan 19 2021
SC Court of Appeals

ROBERT D. COOK
Solicitor General
S.C. Bar No. 1373

Office of the Attorney General
Post Office Box 11549
Columbia, SC 29211
(803) 734-3680
(803)734-3677 (Fax)
esmith@scag.gov

January 19, 2021

ATTORNEYS FOR THE STATE

Other Counsel of Record:

Gene M. Connell, Esquire
Kelaher, Connell & Connor, P.C.
Attorneys at Law
P.O. Drawer 14547
Surfside Beach, SC 29587-4547
gconnell@classactlaw.net
843-238-5648
Attorney for Respondents

Mr. Matt Leonhard (pro-se)
307B 42nd Ave N
North Myrtle Beach, SC 29582
919-280-9771

Bradley D. Churdar, Bar # 12829
Associate General Counsel
SC Dept. of Health and Environmental Control
1362 McMillan Ave., Suite 400
North Charleston, SC 29405
(843) 953-0213
churdabd@dhec.sc.gov
Attorney for SC Dept. of Health and Environmental Control

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

RECEIVED

Jan 19 2021

SC Court of Appeals

APPEAL FROM HORRY COUNTY
Court Of Common Pleas
R. Markley Dennis, Jr., Circuit Court Judge

Case No. 2018CP2600120

East Cherry Grove Co., LLC; and
Ray & Nixon, LLC,, Respondents,

v.

State of South Carolina; South Carolina Department of Health and Environmental Control; and
Matt Leonhard, Defendants,
of whom

The State of South Carolina is Appellant

CERTIFICATE OF SERVICE

I hereby certify that I have this January 19, 2021, served the State's Notice of Appeal by emailing it to the counsel for Respondents and Defendants at the addresses below (copy of email attached) and by mailing a copy of the document to the Defendant Leonhard at the address below through the United States mail.

Gene M. Connell, Jr.
Kelaher, Connell & Connor, P.C.
gconnell@classactlaw.net

Mr. Matt Leonhard
307B 42nd Ave N
North Myrtle Beach, SC 29582
Email address: ml37737@gmail.com

Bradley D. Churdar
Associate General Counsel
S.C. Dept. of Health and Environmental Control
churdabd@dhec.sc.gov

/s J. EMORY SMITH, JR.
[Address block continues next page]

January 19, 2021

J. Emory Smith, Jr.
S.C. Bar No. 5262
Deputy Solicitor General
Counsel for the State

From: [Emory Smith](#)
To: [Gene Connell](#); [Matt Leonhard \(ml37737@gmail.com\)](#); [Bradley Churdar \(churdabd@dhec.sc.gov\)](#)
Subject: RE: 2018CP2600120: East Cherry Grove Realty Co, LLC, et al VS. State of South Carolina
Date: Tuesday, January 19, 2021 11:51:00 AM
Attachments: [Notice of Appeal with Orders for efilng \(02469790xD2C78\).pdf](#)

Attached is the State's Notice of Appeal in this case which is hereby served upon you. Mr. Leonhard, I am also mailing this Notice to you by U.S. Mail. I will be efilng at the Supreme Court as a single document, but in Circuit Court, the Orders will be separate attachments.

Emory

J. Emory Smith, Jr.
Deputy Solicitor General
Office of the Attorney General
P.O. Box 11549
Columbia, SC 29211
803-734-3642 Direct

RECEIVED
Jan 19 2021
SC Court of Appeals