

IN THE STATE OF SOUTH CAROLINA
In The Court of Appeals

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Apr 21 2021

SC Court of Appeals

APPEAL FROM HORRY COUNTY
Court of Common Pleas

Benjamin H. Culbertson, Circuit Court Judge

Case No. 2015-CP-26-8179
Appellate Case No. 2021-000136

Robert DeCiero, a resident of Long Bay Estates Subdivision,
Myrtle Beach, South CarolinaAppellant,

v.

Horry County, State of South Carolina.....Respondent.

APPELLANT’S DESIGNATION OF MATTER
TO BE INCLUDED IN THE RECORD ON APPEAL

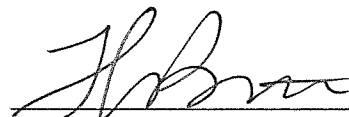
Appellant Robert DeCiero, a resident of Long Bay Estates Subdivision, Myrtle Beach, South Carolina hereby designates the following matter:

1. Appellant’s Motion to Reconsider Order dated September 29, 2020.
2. Appellant’s Memorandum in Support of Motion to Reconsider Order dated October 2, 2020.
3. Respondent’s Reply Brief in Opposition to Plaintiff’s Motion to Reconsider Order dated October 7, 2020.
4. Appellant’s Notice of Appeal dated February 2, 2021.

5. Order Ending Action dated September 23, 2020.
6. Order Denying Motion to Reconsider dated January 15, 2021.
7. Summons and Complaint dated November 12, 2015.
8. Transcript of Record, Common Pleas Court, dated August 20, 2020.
9. Photographs of vehicle traffic in Long Bay Estates (Plaintiff's Trial Exhibit 1).
10. Photographs of rental signs located in Long Bay Estates (Plaintiff's Trial Exhibits 2-7).
11. Horry County Zoning Ordinances Sections 1300-1301 (Plaintiff's Trial Exhibit 8).
12. Horry County Zoning Ordinance Section 707 (Plaintiff's Trial Exhibit 9).
13. Horry County Zoning Ordinance Districts (Plaintiff's Trial Exhibit 10).
14. Defendant's Response to Plaintiff's Request to Admit dated March 25, 2016 (Plaintiff's Trial Exhibit 11).
15. Horry County Notice to All Horry County Homeowners and Business Owners (Plaintiff's Trial Exhibit 12).
16. Letter from Roland Meyer, Horry County Zoning Administrator dated April 16, 2004 (Plaintiff's Trial Exhibit 13).
17. Letter from Thomas C. Brittain to Janet Carter and Arrigo Carotti dated June 2, 2015 (Plaintiff's Trial Exhibit 14).
18. Letter from Janet Carter to Thomas C. Brittain dated June 12, 2015 (Plaintiff's Trial Exhibit 15).
19. Letter from Thomas C. Brittain to Janet Carter and Arrigo Carotti dated June 19, 2015 (Plaintiff's Trial Exhibit 16).
20. Letter from Janet Carter to Thomas C. Brittain dated August 8, 2005 (Plaintiff's Trial Exhibit 17).
21. Letter from Janet Carter to Thomas C. Brittain dated September 21, 2015 (Plaintiff's Trial Exhibit 19).
22. Redacted Memorandum from Thomas C. Brittain to Horry County Zoning dated August 17, 2015 (Plaintiff's Trial Exhibit 21).

Respectfully submitted,

THE BRITTAIN LAW FIRM, P.A.



Thomas C. Brittain, Esquire
4614 Oleander Drive
Myrtle Beach, SC 29577
843-449-8562 Telephone
843-497-6124 Facsimile
ATTORNEY FOR APPELLANT

April 21, 2021
Myrtle Beach, South Carolina

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CERTIFICATE OF COUNSEL

SC Court of Appeals

Pursuant to Rule 209(c), SCACR I hereby certify this Designation of Matter to be Included in the Record on Appeal contains no matter which is irrelevant to the appeal.



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Robert DeCiero, a resident of Long Bay Estates Subdivision,
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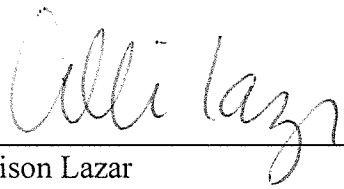
v.

Horry County, State of South Carolina.....Respondent.

PROOF OF SERVICE


I, Allison Lazar, do hereby certify that I am an employee of THE BRITTAIN LAW FIRM, P.A., attorneys for the Appellant Robert DeCiero, a resident of Long Bay Estates Subdivision, Myrtle Beach, South Carolina in the above-entitled action, and that I have this 21st day of March 2021, caused to be served upon the following parties the **Initial Brief of Appellant and Appellant's Designation of Matter to be Included in the Record on Appeal** by depositing a copy of same in the United States Mail, with sufficient first class postage affixed thereto, addressed as follows:

Elise F. Crosby, Esquire
Crosby Law Firm, LLC
405 Dozier Street
Georgetown, SC 29440



Allison Lazar

SWORN AND SUBSCRIBED before me
this 21st day of April 2021.



NOTARY PUBLIC FOR SOUTH CAROLINA
My Commission Expires: 3/16/25

THE BRITTAIN LAW FIRM, P.A.

ATTORNEYS AT LAW
4614 OLEANDER DRIVE
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THOMAS C. BRITTAIN
MARY MADISON BRITTAIN LANGWAY
A. PRESTON BRITTAIN
T. CASE BRITTAIN, JR.

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SC Court of Appeals

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April 21, 2021

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

Re: Robert DeCiero, a resident of Long Bay Estates Subdivision, Myrtle Beach, South Carolina v. Horry County, State of South Carolina
Appellate Case No. 2021-000136

Dear Ms. Kitchings:

Enclosed herewith for filing please find the Initial Brief of Appellant, Appellant's Designation of Matter to be Included in the Record on Appeal and Proof of Service in the above-referenced matter.

With warm regards, I am
Yours truly,

THE BRITTAIN LAW FIRM, P.A.



Thomas C. Brittain
TCB/all

cc: Elise F. Crosby, Esquire