

**RECEIVED**

**Jan 12 2022**

**SC Court of Appeals**

**THE STATE OF SOUTH CAROLINA**  
In the Court of Appeals

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**APPEAL FROM** Charleston County  
Court of Common Pleas for the Ninth Circuit

The Honorable Bentley Price, Circuit Court Judge

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**Case No.: 2021-CP-10-00562**

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Clam Farm Partnership, LLC.....*RESPONDENT*,

v.

The South Carolina Department of Health and Environmental Control, Office of Ocean and Coastal Resource Management, Charleston County, and The City of Folly Beach,

*Of which The South Carolina Department of Health and Environmental Control, Office of Ocean and Coastal Resource Management is.....APPELLANT.*

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**NOTICE OF APPEAL**


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The South Carolina Department of Health and Environmental Control, Office of Ocean and Coastal Resource Management hereby appeals: (a) the Order Granting Plaintiff's Motion for Partial Summary Judgment and Preliminary Injunction, which the Honorable Bentley Price signed and filed on November 18, 2021 (attached hereto as Exhibit A); and (b) the Order Denying Defendant's Motion to Reconsider, which the Honorable Bentley Price signed and filed on December 14, 2021 (attached hereto as Exhibit B). Appellant received the notice of entry of the Order ruling on its Rule 59 Motion to Reconsider (Exhibit B) on December 14, 2021.

**[signature on following page]**

January 6<sup>th</sup>, 2022

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HELMS, LLC

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**PROOF OF SERVICE**

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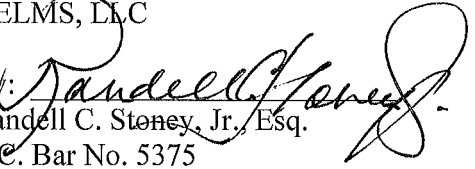
I, the undersigned, certify that I have served the *Notice of Appeal* on behalf of the South Carolina Department of Health and Environmental Control, Office of Ocean and Coastal Resource Management on all counsel of record via their AIS-designated email at the below email addresses. Pursuant to Rule 262(C)(3), SCACR, and the Order of The Supreme Court of South Carolina, RE: Methods of Electronic Filing Under Rule 262 of the South Carolina Appellate Court Rules, entered August 25, 2021, a copy of the email to counsel is attached.

**[signature on following page]**

January 11, 2022

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**Subject:** Clam Farm Partnership v SCDHEC, et al.; C/A No. 2021-CP-10-00562  
**Date:** Thursday, January 6, 2022 3:31:40 PM  
**Attachments:** [Notice of Appeal 1.6.22 \(01134431xA18B7\).pdf](#)

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Good afternoon, please find attached the Notice of Appeal in the above-referenced matter.  
Thank you,

**BEVERLY MITTON**

LEGAL ASSISTANT TO PHILLIP S. FERDERIGOS, RANDELL C. STONEY, JR., MARVIN D. INFINGER & CONNOR J. HOY



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