

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

APPEAL FROM SPARTANBURG COUNTY  
Court of Common Pleas

J. Mark Hayes, III, Circuit Court Judge

Case No.: 2009-CP-42-5373

James Hoftiezer, as Personal Representative for the Estate of Martha Hoftiezer. ....Appellant,

v.

D. Mark Hicklin, M.D., Drs. Taylor, Hicklin, Westmoreland and Coley, P.A.,  
and Spartanburg Regional Health Services District, Inc., d/b/a Spartanburg  
Regional Healthcare System .....

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SC Court of Appeals

**CONSENT MOTION TO AMEND APPELLANT'S INITIAL BRIEF  
AND DESIGNATION OF MATTER**

Pursuant to South Carolina Appellate Court Rule 240, Appellant moves this Honorable Court to amend the initial brief and designation of matter previously filed by Appellant. At the request of Respondents, Appellant has agreed to remove certain material from the designation of matter which will alter the substance of the initial brief. Appellant requests leave from this Court to file such amended brief and amended designation of matter, copies of which are attached hereto. Appellant further requests that the Court hold the current filing deadlines in abeyance

during the pendency of this Motion. Counsel for Respondents has consented to these amendments.

Respectfully Submitted,

MIKE KELLY LAW GROUP, LLC

By:



Ruskin C. Foster

Brad D. Hewett

500 Taylor Street

Post Office Box 8113

Columbia, South Carolina 29202

(803) 726-0123

Attorneys for Appellant

May 21, 2012

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

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J. Mark Hayes, III, Circuit Court Judge

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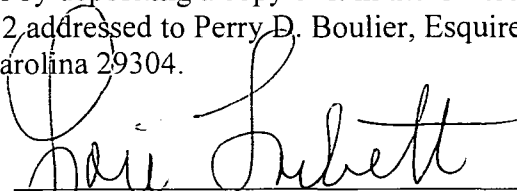
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.....Respondents.

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**PROOF OF SERVICE**

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I, the undersigned Paralegal with Mike Kelly Law Group, LLC, counsel for James Hoftiezer, as Personal Representative for the Estate of Martha Hoftiezer, Appellant certify that I have served the Consent Motion to Amend Appellant's Initial Brief and Designation of Matter on counsel by depositing a copy of it in the United States mail, postage prepaid, on May 21, 2012 addressed to Perry D. Boulter, Esquire, Post Office Box 1897, Spartanburg, South Carolina 29304.

  
\_\_\_\_\_  
Lori Torbett, Paralegal



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May 21, 2012

The Honorable Tonya Gee  
S.C. Court of Appeals  
1015 Sumter Street  
P.O. Box 11629  
Columbia, SC 29211

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SC Court of Appeals

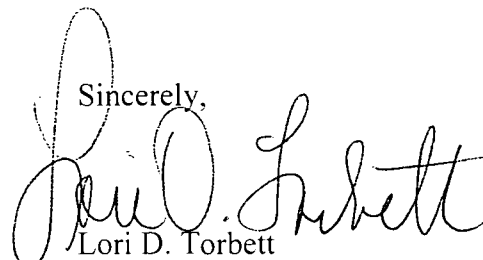
RE: Hoftiezer v. Hicklin, et al.  
Court of Appeals File No: 2011203086  
C/A No: 09-CP-42-5373

Dear Ms. Gee:

Please find attached a Consent Motion to Amend Appellant's Initial Brief and Designation of Matter with Proof of Service and the applicable \$25.00 filing fee. If you would kindly file the original and return the clocked copies in the envelope enclosed, it would be greatly appreciated. If you need anything further, please contact my office.

With kindest regards, I remain

Sincerely,



Lori D. Torbett  
Paralegal to Ruskin C. Foster

RCF/ldt

cc: Perry Boulter, Esquire

**OFFICES IN:**

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