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June 5, 2013

VIA U.S. MAIL

Honorable Daniel E. Shearouse
Clerk of Court
Supreme Court of South Carolina
Post Office Box 11330
Columbia, South Carolina 29211

RECEIVED

JUN 07 2013

S.C. SUPREME COURT

Re: Josey v. Josey
Case Tracking No: 2011-197626

Dear Dan:

The purpose of this letter is to advise the court pursuant to Rule 208(b)(7), SCACR, of pertinent authority that has come to my attention after the filing of the briefs in this case.

This past January, the Court of Appeals published its decision in the case *Estate of Livingston v. Livingston*. See Op. No. 5078 (S.C. Ct. App. filed Jan. 30, 2013) (Shearouse Adv. Sh. No. 5 at 55). The *Livingston* decision discusses section 15-61-25 of the South Carolina Code. See (Shearouse Adv. Sh. No. 5 at 63-65). This same statute is addressed throughout the parties' briefs in the *Josey* case.

I should point out that as of the date of this letter, the *Livingston* decision has not been released for final publication. According to this week's Advance Sheet (No. 25 at 4) a petition for rehearing remains pending.

Thank you for your attention to this letter. With warm regards I am

Yours sincerely,

Blake Hewitt

Blake A. Hewitt

with express permission emb

cc: Daniel W. Stacy, Jr., Esquire
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Deborah H. Sheffield, Esquire