

# SMITH ROBINSON

Forward thinking. Results driven.

Smith Robinson Holler DuBose and Morgan, LLC

COLUMBIA 2530 Devine Street, Columbia, SC 29205  
P: 803.254.5445 F: 803.254.5007

SUMTER 126 N. Main Street, Sumter, SC 29151  
P: 803.778.2471 F: 803.778.1643

CAMDEN 935 Broad Street, Camden, SC 29020  
P: 803.432.1992 F: 803.432.0784

November 6, 2023

**VIA EMAIL ONLY**

The Honorable Jenny Abbott Kitchings  
Clerk of Court  
South Carolina Court of Appeals  
Post Office Box 11629  
Columbia, South Carolina 29211

**RECEIVED**

**Nov 06 2023**

**SC Court of Appeals**

**RE: Donna B. Welch v. Atlas Turner, Inc.  
Appellate Case No. 2023-001096**

Dear Ms. Kitchings:

Please find enclosed the initial brief and designation of matter of Peter D. Protopapas, as the Receiver for Atlas Turner's insurance assets, for filing in the above-referenced appeal. The Receiver notes that he and his counsel, John Chandler and Brian Barnwell, are identified on the Court's case management system as attorneys representing the appellant, Atlas Turner, Inc. The Receiver was appointed by the circuit court for the limited purpose of marshaling Atlas Turner, Inc.'s insurance assets and administering them consistent with future court orders. However, Atlas Turner, Inc., by and through its own counsel, appealed that order to this Court. This Court has ruled that an appeal of an order appointing a receiver does not result in an automatic stay pursuant to Rule 62(a) of the South Carolina Rules of Civil Procedure and Section 14-3-450 of the South Carolina Code. See Sept. 8, 2023 Order, *Childers v. Davis Mech. Contractors, Inc.*, Appellate Case No. 2023-000727. Therefore, the Receiver respectfully requests the Court identify the Receiver as a respondent in the appeal, not as an attorney representing the appellant.

Sincerely,

Jonathan M. Robinson

JMR/dlf

Enclosures

cc: All counsel of record via email only