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July 23, 2013

VIA, HAND-DELIVERY

The Honorable Jenny Abbott Kitchings
Clerk of Court
South Carolina Court of Appeals
1015 Sumter Street
Columbia, South Carolina 29201

RECEIVED
JUL 23 2013
SC Court of Appeals

- Re: ● The Milton P. Demetre Family Limited Partnership vs. Harry Beckmann, III, *et al.*
● Appellate Case No.: 2012-212136
● **Appellant's Filing of an Unauthorized Supplemental Return**

Dear Ms. Kitchings:

Appellant's counsel improperly filed a Supplemental Return with this Court, which was served on Respondents' counsel on July 18, 2013. This Court's Rules do not permit the filing of a Supplemental Return. Concurrent with the Supplemental Return, Appellant's counsel filed a Motion requesting permission to file a Supplemental Return. Obviously, Appellant's counsel should have awaited a decision from this Court allowing/disallowing the filing of a Supplemental Return, because Rule 240, South Carolina Appellate Court Rules does not contemplate the filing of a Supplemental Return. Respondents' object to Appellant's filing of a Supplemental Return.

Assuming such an extraordinary filing would be allowed, the time limit for such a filing should be no more than the time allowed for filing a Reply under Rule 240(f), which is five days. Appellant arbitrarily waited eight days, so their filing is not only inappropriate, but untimely as well.

ORIGINAL

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Please don't hesitate to contact the undersigned if you have any questions or concerns.

With best regards, we are,

Respectfully Yours,

AUSTIN & ROGERS, P.A. ¹

A handwritten signature in black ink, appearing to read "Richard L. Whitt". The signature is written in a cursive, somewhat stylized font.

Richard L. Whitt, S.C. Bar No.: 62895

Jefferson D. Griffith, III, S.C. Bar No.: 2299

Attorneys for Respondents

cc: John Hughes Cooper, Esquire, via U.S. Mail
Cain Denny, Esquire, via U.S. Mail