

LETTER TO CLERK OF LOWER COURT

Supplemental Citations

September 19, 2013

The Honorable Jenny Abbott Kitchings  
Clerk of Court for SC Appeals Court  
1015 Sumter Street, Columbia, South Carolina 29201  
RE: Allen University, Respondent, v. Lawrence Terry, Appellant, Case No.  
2012-CP-40-04857 Appellant Case No. 2013-000340

Dear Jenny Abbott Kitchings:

This letter comes to you pursuant Rule 208(b)(7), Supplemental Citations. Although I have already mentioned the below citation in previously filed "motions", I just wanted to confirm that they would be considered with the briefs. This citation is in regards to Argument #1 and Issues #3 and #4 in the brief(s). I was recently informed they would not unless submitted under Rule 208(b)(7).

*Entry of default is a ministerial act which a clerk is required to perform once default is made to appear by the affidavit of the moving party. See Thynes v. Lloyd, 294 S.C. 152, 153-54, 363 S.E.2d 122, 123 (Ct.App.1987) (holding that "whether default was actually entered is of no consequence since the entry of default is a purely ministerial act which the clerk was required to perform once the default was made to appear by the affidavit" of the moving party).* The filed Affidavit of Default on 9/11/2012 was six days before the abrupt 9/17/2012 Order to Dismiss. The Amended Complaint contained substantive changes from the Original and therefore the Respondent had a duty to respond, but did not.

Sincerely,

Lawrence Terry  
Post Office Box 24138  
Columbia, South Carolina 29224  
(803) 414-0760  
Appellant, Pro Se

cc: Debbie W. Durban  
Post Office Box 11070  
Columbia, South Carolina 29211  
(803) 255-9465  
Attorney for Respondent

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