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October 14, 2013

VIA FACSIMILE AND US MAIL

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

**RE: Allen Livingston v. Harold Simmons
Appellate Case Number: 2013-001306**

RECEIVED
OCT 17 2013
SC Court of Appeals

Dear Ms. Kitchings:

Following the untimely death of Jeff Barnwell, I have consulted with Allen Livingston. Mr. Livingston advises that he wishes to withdraw his appeal. Accordingly, I will be preparing a Motion for Withdrawal for this action.

By copy of this letter to opposing counsel J. Seth Whipper, I am requesting that he advise the Court in writing whether he has any objection.

With best wishes, I remain

Sincerely,

S/Andrew J. Savage, III

Andrew J. Savage, III

AJS,III/hch

cc: J. Seth Whipper, Esquire (via email only)
Mr. Allen Livingston (via email only)