

# STEPHENSON + MURPHY

ATTORNEYS AT LAW LLC

November 4, 2025

Jenny Abbott Kitchings  
Clerk of Court  
Court of Appeals  
P.O. Box 11629  
Columbia, SC 29211

**RECEIVED**  
**Nov 04 2025**  
**SC Court of Appeals**

Re: Appellate Case Number 2023-000353

Civil Action Number 2018-CP-23-01643

Jason Tuck, Appellant v. On the Mark Automotive Repair and Refinishing, LLC d/b/a On the Mark Automotive, LLC, Carolina's Best Auto Sales, LLC, Carolina's Best Finance, 828A St. Mark Road, LLC, Affordable Auto Finance, Inc., Southeastern Recovery and towing, LLC, John D. Watts III (a/k/a John D. Watts), Respondents

Dear Ms. Kitchings:

I am writing to disclose an error in Appellant's case citation. In our opening brief, I cited *Walbeck v. l'On Co.*, 426 S.C. 494, 827 S.E.2d 348 (Ct. App. 2018). Apparently, there was a subsequent unpublished order from this Court that I cannot access. I did learn, however, that this case at some point became known as *Adkins v. l'On Co.*, 439 S.C. 568, 889 S.E.2d 537 (2023), which affirmed *Walbeck* in part and reversed it in part. The citation to *Walbeck* should have included this subsequent history.

The Supreme Court reversed *Walbeck* Court's determination that entities could not be amalgamated, "as there is more than enough evidence of bad faith, abuse, fraud, wrongdoing, or injustice resulting from the blurring of the entities' legal distinctions." *Adkins*, 439 S.C. at 595, 889 S.E.2d at 551.

Respectfully,



Brian P. Murphy