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October 29, 2013

V. Claire Allen, Deputy Clerk
South Carolina Court of Appeals
Post Office Box 11629
Columbia, SC 29211

Re: IRF Claim No. 76999; C/A No. 2011-CP-21-00000
Carmichael T. Flowers v. William K. Boone, et al
Our File 10197.15448

Dear Ms. Allen:

Please be advised that I am today in receipt of your October 28, 2013 correspondence concerning the above-referenced matter. In response thereto, and as previously discussed with your office via telephone, any assumption that the transcript previously ordered by the Appellant is "no longer necessary" is incorrect.

Notably, as detailed in the Respondents' Initial Brief, the *pro se* Appellant has not yet filed a transcript of the underlying judicial proceeding, as required pursuant to Rule 207 SCACR. Rather, the Appellant instead chose to file his Initial Brief, without also filing the transcript. In response, Respondents were required to file their Initial Brief within thirty (30) days after the Appellant's Initial Brief pursuant to Rule 208 SCACR, which they did, albeit without the transcript having been filed. In fact, Respondents continue to assert that the record in this case is incomplete, judicial review is impossible, and the instant Appeal must be dismissed, due to Appellant's continued failure to comply with Rule 207 SCACR.

Additionally, you have requested that I now serve and file an Amended Designation of Matter removing the transcript of record within ten (10) days. However, as detailed above, the transcript remains "necessary for judicial review." Consequently, I respectfully request that you reconsider your request and that

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the instant appeal be dismissed due to Appellant's continued failure to comply with the rules of appellate procedure.

Should you have any additional questions and/or comments, please do not hesitate to contact me directly.

With kindest regards,



J. Scott Kozacki

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jsk

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