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November 19, 2013

The Honorable Jenny A. Kitchings
Clerk of Court
SOUTH CAROLINA COURT OF APPEALS
1205 Pendleton Street
Columbia, South Carolina 29201

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SC Court of Appeals

RE: *Elizabeth Hope Rainey, as the appointed Guardian ad Litem to Owen C. [REDACTED], a minor, v. Charlotte-Mecklenburg Hospital Authority d/b/a Carolinas Medical Center, South Carolina Department of Social Services, Bruce Bryant, as the Constitutional Office of the Sheriff of York County, The York County Sheriff's Department, and York County.*
Civil Action No. 2011-CP-46-04508;
Appellate Case No. 2013-00-2058;
IRF File No. T81142; Our File No. 25701.02.

Dear Ms. Kitchings:

I represent the South Carolina Department of Social Services in the referenced matter, and have received your recent letter to counsel, advising that originals of all Records on Appeal and Final Briefs filed with the Appellate Courts are now scanned, and originals should not be bound. I wanted to point out that this appeal involves the Plaintiff's appealing the grant of summary judgment to the Charlotte-Mecklenburg Hospital Authority d/b/a Carolinas Medical Center, and does not involve my client, the South Carolina Department of Social Services, whose Motion for Summary Judgment is still pending and has not yet been heard by the lower Court. I have been receiving and monitoring filings by the Plaintiff and responses by the Court with regard to this appeal, and it appears to me that the Court is under the impression that my client, the South Carolina Department of Social Services, is one of the Respondents to the appeal. We are not, and our Motion is still pending in the lower Court, with the lower Court proceedings having been stayed, pending the outcome of this appeal.

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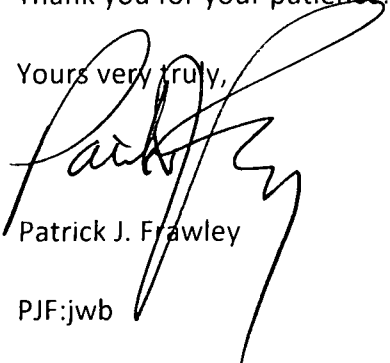
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I will yield to counsel for the Plaintiffs and/or counsel for the Charlotte-Mecklenburg Hospital Authority should the Court need any further clarification of the issues in this particular appeal; but as indicated above, my client, the South Carolina Department of Social Services, does not really have any issues in this matter on appeal, and is still in the lower Court proceedings.

Should you need any further information from me with regard to that matter, please let me know.

Thank you for your patience.

Yours very truly,


Patrick J. Frawley

PJF:jwb

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