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December 4, 2013

**RECEIVED**

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**SC Court of Appeals**

The Honorable Jenny Abbott Kitchings  
Clerk, South Carolina Court of Appeals  
1205 Pendleton Street  
Columbia, SC 29201

Re: Charles Taylor, Appellant vs. Thomas Davis and State Farm Mutual  
Automobile Insurance Company, Respondents  
Appellate Case No: 2012-212896

Dear Ms. Kitchings:

I recently received an Order from the Court of Appeals filed November 19, 2013 with regard to the above referenced matter. This Order granted my motion to strike Appellants Amended Record on Appeal and required Appellant to file a Second Amended Record on Appeal within thirty days.

I have now received communications from both Appellant and Respondent Thomas Davis serving me with Second Amended Designation of Matter to be included in the record on appeal along with Second Amended Initial Briefs. The amended designations are confusing in light of the court's Order of last month and I am respectfully seeking some clarification. As I interpret the court's Order, Appellant's Second Amended Record on Appeal is required to contain the parties' initial designation of matters to be included in the record. It appears to me that both Appellant and Respondent Davis are attempting to include additional matter in the record not previously designated. The multiple amendments of designation of matter by Appellant and Respondent Davis is confusing and in my judgment, untimely and impermissible under the rules and the court's recent Order.

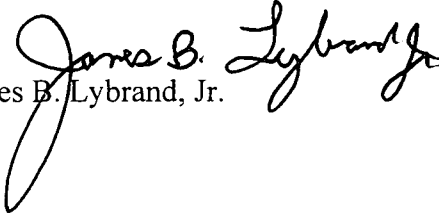
I write this letter in order to draw the court's attention to this issue prior to Appellant filing his Second Amended Record on Appeal. Is the Court in a position to provide clarification to the parties in furtherance of its Order last month as it related to the issues I have outlined above?

McDONALD, McKENZIE, RUBIN, MILLER AND LYBRAND, L.L.P.  
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Any guidance which the court could provide would be most appreciative.

With kind regards,

McDonald, McKenzie, Rubin,  
Miller and Lybrand, LLP

  
James B. Lybrand, Jr.

JBLjr/bg

cc: Charles Taylor  
Thomas Davis