

S. JAHUE MOORE
J. MARK TAYLOR*
DAVID L. THOMAS†
C. VANCE STRICKLIN, JR.
JAMES EDWARD BRADLEY
SHEILA McNAIR ROBINSON
ROBERT D. HAZEL
CHRISTIAN G. SPRADLEY††
C. DAVID SAWYER, JR.††
WILLIAM H. EDWARDS
STANLEY L. MYERS
JANE H. DOWNEY**
S. JAHUE MOORE, JR.
JOHN C. BRADLEY, JR.



1700 SUNSET BOULEVARD (HWY. 378)
POST OFFICE BOX 5709
WEST COLUMBIA, SOUTH CAROLINA 29171
TELEPHONE (803) 796-9160
FAX (803) 791-8410

MELISSA K. MOORE
WILLIAM B. FORTINO
R. NICHOLS "NICK" RILEY, JR.
M. BROOKS BIEDIGER
AMBER L. FULMER
SARAH TAYLOR CASSIDY
MARGARET "MEG" HAZEL

RETIRED:
BILLY C. COLEMAN††

††SALUDA OFFICE:
(864) 445-4544 OR (866) 604-4544
†GREENVILLE OFFICE:
(864) 271-6371

December 27, 2013

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

Re: Gina Wilbanks individually and as the Personal Representative of the Estate of
Roger Wilbanks v. Ernest C. Martin, M.D.
C/A Nos. 2012-CP-04-00288 and 2012-CP-04-00290
Appellate Case No. 2013-001842

Dear Ms. Kitchings:

Please take this letter as a response to the Court's Order of December 23 reinstating the appeal in these matters. Please let us know if a more formal response is necessary.

The Court's Order asks us to update it on the status of the transcript as the Court's records reflect that it should have been received on December 3, 2013. The transcript has not been received. The Supreme Court granted an extension to the court reporter until January 3, 2014. For the Court's records, we enclose a copy of this order.

We believe the confusion arises from the caption on the Supreme Court's Order. The Supreme Court's Order is captioned as follows: "Gina Wilbanks, etc V. AnMed Health, et al, 2011CP0400290." We believe the proper caption is "Gina Wilbanks individually and as the Personal Representative of the Estate of Roger Wilbanks v. Ernest C. Martin, M.D., 2012CP0400290, 2012CP0400288." AnMed Health is no longer a defendant. The difference in the action numbers is merely the year. The Supreme Court Order uses the year 2011, but the proper year is 2012.

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SC Court of Appeals

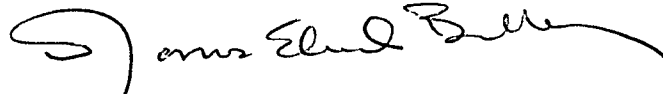
The Honorable Jenny Abbott Kitchings
December 27, 2013
Page 2

The confusion is most likely due to the letter we sent to the court reporter. We enclose a copy of that letter for your reference. That letter uses 2011 in the caption improperly. The year should be 2012.

The Notices of Appeal have the correct caption and action numbers.

Thank you for the opportunity to clarify this. Please contact us with any questions or concerns.

Sincerely,

A handwritten signature in black ink, appearing to read "James Edward Bradley". The signature is fluid and cursive, with a large initial "J" and a long, sweeping underline.

James Edward Bradley

/nh

Enclosures

cc: Jennifer S. Burnett, Esquire
John C. Bradley, Jr., Esquire
Andrew F. Lindemann, Esquire
Vivian H. Cross
Desiree Allen, Court Services Manager
Burns Davison

The South Carolina Court of Appeals

Gina Wilbanks, Individually and as Personal
Representative of the Estate of Roger Wilbanks,
Respondent,

v.

Ernest C. Martin, M.D., Appellant.

Appellate Case No. 2013-001842

The Honorable R. Lawton McIntosh
Anderson County
Trial Court Case No. 2012CP0400290, 2012CP0400288

ORDER

This appeal was dismissed on November 22, 2013, for failure to provide proof of ordering the transcript. The appellant filed a motion to reinstate the appeal, along with satisfactory proof of having ordered the transcript. The appeal is reinstated. The appellant must update the Court within ten days of the date of this order regarding the status of the transcript, as our records indicate it should have been received on December 3, 2013.

FOR THE COURT

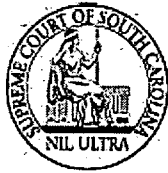
W. Allen Allen, Deputy
CLERK

Columbia, South Carolina

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12-23-13
SC Court of Appeals

cc:

James Edward Bradley, Esquire
John Calvin Bradley, Jr., Esquire
Jennifer Spragins Burnett, Esquire
Andrew F. Lindemann, Esquire



The Supreme Court of South Carolina

(Gina Wilbanks, etc
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TITLE OF (V. 2011CP0400290
CASE (
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(AnMed Health, et al
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Notice

Upon request and for good cause shown, Vivian Cross, Court Reporter, is hereby granted an extension up to and including January 03, 2014 to prepare and deliver the Transcript of Record in the above case.

Desiree Allen
Court Services Manager
South Carolina Court Administration

Columbia, South Carolina
12/03/2013

cc: John C. Bradley, Jr., Esq.
Jennifer S. Burnett, Esq.
Vivian Cross

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RETIRED:
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††SALUDA OFFICE:
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†GREENVILLE OFFICE:
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August 21, 2013

Vivian H. Cross
P. O. Box 704
Belton, SC 29627

Re: Gina Wilbanks individually, and as the Personal Representative of the Estate of
Roger Wilbanks v. AnMed Health and Ernest C. Martin, M.D.
C/A Nos. 2011-CP-04-00288 and 2011-CP-04-0290

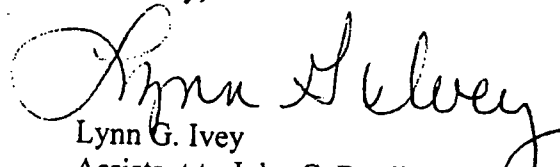
Dear Ms. Cross:

I trust this letter finds you well. I am writing today to request a copy of the hearing transcript in the above referenced matters which took place before Judge McIntosh on June 4, 2013, at the Anderson County Courthouse.

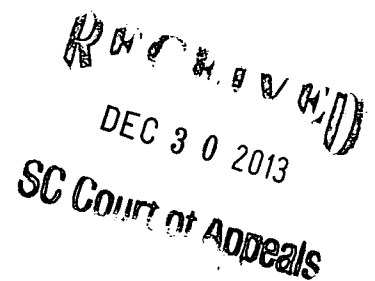
Please feel free to contact me to confirm arrangements if necessary to fulfill this request.

Thank you in advance for your assistance in this matter.

Sincerely,


Lynn G. Ivey
Assistant to John C. Bradley, Jr.

cc: The Honorable Rosalyn W. Frierson, SC Court Administration
Jennifer S. Burnett, Esquire

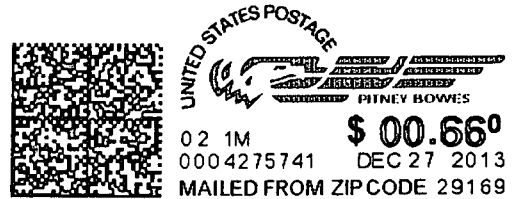


Moore, Taylor & Thomas, P.A

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