

The Supreme Court of South Carolina

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July 11, 2012

Mr. Emmett Caldwell
500 NW 2nd Avenue
Miami FL 33101

Re: In Re: In the Matter of the Estate of Iris Wadsworth (Emmett Caldwell v. SunTrust), 2010-ES-10-1841
Appellate Case No. 2012-212437

Dear Caldwell:

This Court has received your notice of appeal, and the case has been assigned the appellate case number that appears above. Please use this number on all future correspondence relating to this matter.

As reflected by the attached order, your request to proceed without paying the filing fee and costs has been denied.

The notice of appeal is not accompanied by a proof of service showing that a copy of the notice of appeal has been served on the opposing counsel as required by Rule 203(d)(1)(B)(i) of the South Carolina Appellate Court Rules (SCACR).¹ Additionally, you have not provided any information to show that an appeal from probate court to this Court has been authorized. Accordingly, you will need to

¹ The SCACR is available on the South Carolina Judicial Department Website, www.sccourts.org under the link "Court Rules" on the right side of the page.

provide this Court with the following items within fifteen (15) days of the date of this letter:

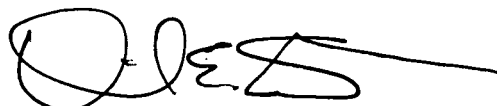
- (1) The filing fee of \$100 filing fee required by Rule 203(d)(1)(B)(iiii), SCACR.
- (2) A proof of service showing that the notice of appeal has been timely served on opposing counsel. I have enclosed a sample proof of service.
- (3) Proof that the parties have consented to having this appeal come directly to this Court from the probate court. S.C. Code Ann. § 62-1-308 (a) (except as provided in (g), appeals from the probate court are to the circuit court) and (g) ("If the parties not in default consent either in writing or on the record at a hearing in the probate court, a party to a final order, sentence, or decree of a probate court who considers himself injured by it may appeal directly to the Supreme Court, and the procedure for the appeal must be governed by the South Carolina Appellate Court Rules.").

All parties to this matter are advised that all filings must comply with the requirements of Rule 267 of the South Carolina Appellate Court Rules (SCACR). The SCACR are available online at www.sccourts.org/courtreg. Additionally, any filings submitted by counsel admitted in South Carolina must include counsel's bar number.

The attention of the parties is directed to the order relating to the inclusion of personal data identifiers and other sensitive information in documents filed with the Supreme Court of South Carolina and the South Carolina Court of Appeals. The order can be found at www.sccourts.org/courtOrders/HTMLFiles/2007-08-13-02.htm. Please note that the responsibility for insuring that information is redacted or sealed as required by this order rests with counsel and the parties. This office

will *not* review filings for redaction or to determine if materials should be sealed.

Very truly yours,

A handwritten signature in black ink, consisting of a large, stylized 'D' followed by a series of loops and a long horizontal stroke extending to the right.

CLERK

Enclosure

cc: Michael A. Scardato, Esquire
Itriss Jenkins, Esquire
Peter A. Kouten, Esquie