

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

APPEAL FROM LEXINGTON COUNTY
COURT OF COMMON PLEAS

Alison Renee Lee, Circuit Court Judge

CASE NO.: 2011-CP-32-02282

Tanya Bennett, as Next Friend of
Mykelvion T., a minor.....Appellant,

v.

Lexington County Health Services District, Inc.
d/b/a Lexington Medical Center.....Respondent.

APPELLANT'S RETURN TO RESPONDENT'S
MOTION TO STRIKE

Appellant Tanya Bennett, by and through her undersigned counsel, submits this Return to Respondent's Motion to Strike. Appellant's counsel had designated certain scholarly articles from medical journals or textbooks to be included in the Record on Appeal for the convenience of the Court. Appellant now recognizes and concedes that such literature should not be included in her Record on Appeal pursuant to Rule 210(c), SCACR. Appellant further concedes that the other materials designated for inclusion in the Record on Appeal to which Respondent has objected, the deposition of Dr. Augustine and the delivery record, should also be excluded from the Record on Appeal because they were not submitted to the lower Court.

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Accordingly, Appellant hereby agrees to strike from her prior designations the specified materials to which Respondent objects.

Respectfully submitted,

GRAHAM LAW FIRM, P.A.

BY:



Edward L. Graham, SC Bar No.: 2483
J. Layton Ruffin, SC Bar No.: 78267
P.O. Box 550
Florence, SC 29503
843-662-3281-T
843-665-0254-F

Attorney for Appellants

March 3, 2014

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

APPEAL FROM LEXINGTON COUNTY
COURT OF COMMON PLEAS

Alison Renee Lee, Circuit Court Judge

CASE NO.: 2011-CP-32-02282

Tanya Bennett, as Next Friend of
Mykelvion T., a minor.....Appellant,

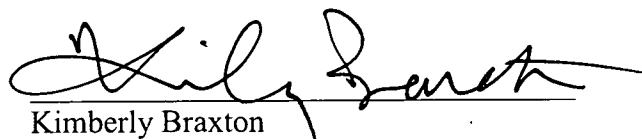
v.

Lexington County Health Services District, Inc.
d/b/a Lexington Medical Center.....Respondent.

PROOF OF SERVICE

The undersigned, a Paralegal of the law offices of Graham Law Firm, PA., attorney for Appellants, do hereby certify that I have this **3rd day of March, 2014**, served a copy of the Appellant's **Return to Respondent's Motion to Strike** upon counsel for the Respondent by depositing in the United States Mail, first-class postage prepaid, addressed to:

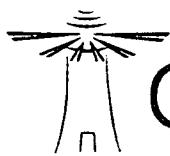
Weldon R. Johnson, Esq.
Barnes, Alford, Stork & Johnson, LLP
P.O. Box 8448
Columbia, SC 29202


Kimberly Braxton
Paralegal to Edward L. Graham

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GRAHAM LAW

Shining a Light on Safety, Guiding the Way to Justice.

Edward L. Graham
Diane M. Rodriguez, RN-JD
Mary H. Watters
J. Layton Ruffin

March 3, 2014

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

**RE: Tanya Bennett, as Next Friend of Mykelvion T., a minor, Appellant v.
Lexington County Health Services District, Inc. d/b/a Lexington Medical
Center, Respondent
2013-001410**

Dear Ms. Kitchings:

Enclosed please find an original and 6 copies of Appellants' Return to Respondent's Motion to Strike in the above-referenced action.

As per the attached Proof of Service, we are serving all counsel of record with a copy of this Return.

With kindest personal regards, I am

Yours very truly,

EDWARD L. GRAHAM

ELG/kb
Encl.
cc: Weldon R. Johnson, Esq.

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SC Court of Appeals

GRAHAM LAW FIRM, P.A.
383 West Cheves Street, Florence, SC 29501
P.O. Box 550, Florence, SC 29503
Phone 843.662.3281 or 1.877.475.8877 • Fax 843.665.0254

