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November 26, 2014

The Honorable Jenny Abbott Kitchings,
Clerk, South Carolina Court of Appeals
1015 Sumter Street
Columbia, South Carolina 29201

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Re Samuel L. McPherson, as Presiding Elder of the Abbeville-
Greenwood District of the African Methodist Episcopal

(A M E) Church, Appellant-Respondent v Henry Banks, Mary

Robinson, Delois Phillips, Naomi Mattison and Frank Mattison,

Respondents-Appellants, *Case No* 2013-002236

SC Court of Appeals

Dear Ms Kitchings,

This is to inform the Court that Respondents-Appellants have not, to date, received the Record on Appeal in the above-referenced case as required by SCACR Rule 210. As attorney for Respondents-Appellants, I was informed on Tuesday, November 25, 2014 by the assistant for counsel for the Appellant-Respondent that the Record on Appeal had been filed with the Court, but the Respondents-Appellants have not been served with a copy of the Record on Appeal or a Supplemental Record on Appeal.

As this Court knows, under SCACR Rule 210, the service of the Record on Appeal is the responsibility of the Appellant, and it is required to be served 30 days after service of the "last brief", meaning the last initial brief, including reply briefs. The service of the Record on Appeal is critical because under SCACR Rule 211, *20 days after the service of the Record on Appeal, each party shall serve a copy of his Final Brief.*

The Final Brief cannot be prepared without the Record on Appeal and the numbering of the pages on the Record. Under SCACR Rule 211, the Final Brief must be identical to the initial brief except that it contains references to the Record on Appeal.

As you also know, Appellant-Respondent's counsel changed this fall. Also this fall, the court permitted Appellant-Respondent to file an amended initial brief. Respondents-Appellants responded to the amended initial brief and Appellant-Respondent filed his Initial Reply Brief on October 20,

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2014 Under SCACR Rule 210, the Record on Appeal should have been served on Respondents-Appellants no later than November 19, 2014

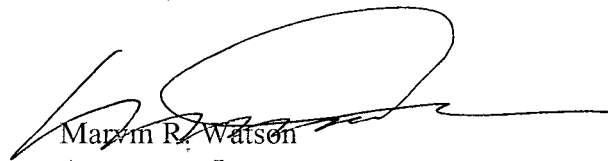
After the last initial brief was filed, both parties discussed the contents of the Record on Appeal. On November 18, 2014, Appellant-Respondent filed a Motion to File Supplemental Record on Appeal. On the same day, without the motion being granted, the Appellant states in his letter to the court that he is enclosing the original and 15 copies of the Supplemental Record of Appeal. The letter to the court also states that one copy of the Record of Appeal was served on Mr. Watson, but The Supplement Record of Appeal was never served on or received by Mr. Watson, as counsel for Respondents-Appellants

To further confuse matters, it must also be stated that under SCACR Rule 210(b), the appellant does not file the 15 copies of the Record on Appeal *until his Final Brief is filed*. It is unclear why the 15 copies were filed with the Court prematurely, and it is also unclear why the Record on Appeal or Supplement Record on Appeal was not timely served on Respondents-Appellants.

Please advise Appellant-Respondent to serve the final and properly numbered Record on Appeal to Respondents-Appellants as soon as possible. On the date the Record on Appeal is filed, the 20 days within which to file the Final Briefs shall begin to run

Thank you for your consideration of this important matter

Sincerely,



Marvin R. Watson
Attorney at Law

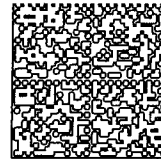
cc William T Toal


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