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December 8th, 2014

The Honorable Jenny Abbott Kitchings
Clerk of Court
South Carolina Court of Appeals
Post Office Box 11629
Columbia, South Carolina, 29211

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DEC 11 2014

SC Court of Appeals

Re: Belle Hall Plantation v. John Murray (David Keys)
Appellate Case No. 2014-002018

Dear Mrs. Kitchings,

I represent the respondent in this case, and I am writing to advise your Court that the lower court is still reviewing a formal order that denies the appellants' motion for reconsideration.

The appellants filed a notice of appeal on September 22 of this year. This notice referenced a written order of Judge Mikell Scarborough that was dated July 22 of 2014. The notice also referenced a "form" order that Judge Scarborough signed on August 18. This form order addressed the appellant's motion to reconsider, and the form order indicates that a formal order is to follow. I have attached a copy for your reference.

As you know, when a Form 4 contains such an indication, the law provides that the Form 4 is not a "final" order and that a trial court retains jurisdiction to issue an additional written ruling. See *Metts v. Mims*, 284 S.C. 491, 682 S.E.2d 813 (2009). I further believe that because the trial court has not yet issued its written order, this appeal is premature under the Supreme Court's decision in *Hudson v. Hudson*, 290 S.C. 215, 349 S.E.2d 341 (1986).

I thought it prudent to advise the court of this in light of the appellants' manifested intent to file his initial brief by December 11. Thank you for your attention to this communication. Please do not hesitate to contact me if I can be of further assistance.

Warm regards,



Amanda Reece, Esquire

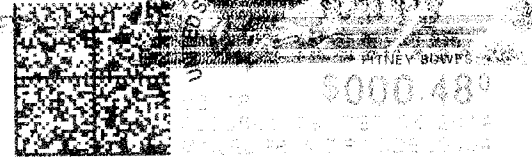
Cc: David Conor Keys, Esquire
Stephanie C. Trotter, Esquire

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