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Reply To

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DEC 16 2014

SC Court of Appeals

December 15, 2014

The Honorable Jenny Abbott Kitchings
Clerk, South Carolina Court of Appeals
Post Office Box 11629
Columbia, South Carolina 29201

**Re: 21st Mortgage Corporation v. Robert Youmans and Tonya Stoney
Appellate Case No. 2013-001844**

Dear Ms. Kitchings:

I represent the Appellant in the above-referenced appeal. This letter is in response the Rule 208(b)(7) letter submitted by the attorney for the Respondents.

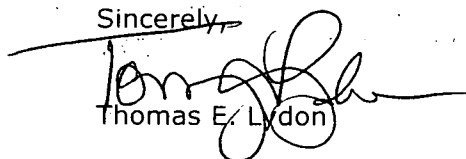
The letter from Respondents' attorney ignores the requirements of Rule 208(b)(7) in two important respects. First, the rule allows a party to submit supplemental citations to authorities that are "pertinent and significant." The rule also states that the letter shall be "without argument." However, Respondents' letter does not comply with either of these requirements. Instead, it is simply an attempt by Respondents' counsel to circumvent Appellant's right to "open and close the argument." Rule 218(a), SCACR.

While the *Buist v. Buist* opinion may be pertinent, it is not significant. The paragraph in *Buist* that is cited by Respondents' counsel is no more than a statement of the well-settled law in this state and does not change the existing law in any way. Furthermore, after citing the case and stating the reason for citing it, Respondents' counsel then proceeds to violate Rule 208(b)(7) a second time by including two paragraphs of argument in his letter.

It would be hypocritical of me to complain about Respondents' counsel violating the rule and then to violate the rule myself by including responsive arguments in this letter. Therefore, I am requesting the Court's permission to respond to the arguments in the letter from Respondents' counsel. I believe that I should be allowed to submit such a response in order to preserve my right to close the argument as provided in the South Carolina Appellate Court Rules.

Thank you for your consideration of this request.

Sincerely,


Thomas E. Lydon

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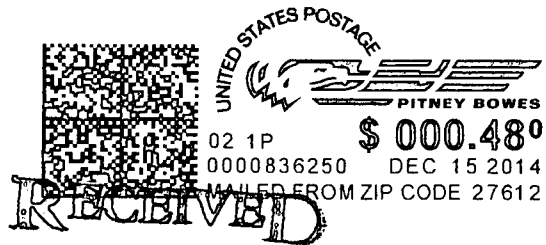
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