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May 25, 2012

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

Re: Pee Dee Health Care, P.A. v. Estate of Hugh S. Thompson (Appeal No. 3)
Case No.: 2010-CP-16-0332
Tracking No.: 2011203391
TPGL File No.: 10667.101

Dear Ms. Kitchings.:

We are in receipt of your letter to attorney Megna dated May 22, 2012 and incorporating the order of Chief Judge Few denying the Appellant's motion to consolidate the record in the above-referenced appeal (that record has been filed with the Court) with the record in the previous appeal identified as Docket Number 2011-197671 (upon which we are still waiting). Based on the Court's ruling, we are now waiting on a separate record on appeal to be prepared for this third appeal (again identified as Docket Number 2011-197671). Because the Initial Briefs required by Rule 208 and the Designation of Matter required by Rule 209 were filed and served more than 30 days ago, the Record on Appeal is past due under Rule 210. We are unaware of any extension of time by the Court though a motion for more time was filed May 10, 2012.

While the Respondent is going to withhold the filing of any motion to dismiss on this basis for now, the Respondent is anxious to have this appeal concluded. Obviously, we are unable to prepare our Final Brief as required by Rule 211 until we are served with the Record on Appeal appropriately prepared in this case. Once the required Record on Appeal is received, we will prepare and file our Final Brief in a timely manner.

If there is anything the Court needs from Respondent in the meantime, please let us know.

Sincerely,

TURNER, PADGET, GRAHAM & LANEY, P.A.

J. René Josey

JRJ/vlb

Cc: Benjamin R. Matthews, Esq.
Tony R. Megna, Esquire
John J. James, II, Esquire

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MAY 29 2012

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