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February 5, 2015

**RECEIVED**

FEB 05 2015

**S.C. SUPREME COURT**

Honorable Daniel Shearouse, Clerk  
South Carolina Supreme Court  
Post Office Box 11330  
Columbia, SC 29211

Re: Est. of Livingston v. Clyde Livingston  
Appellate Case No.: 2013-001505

Dear Mr. Shearouse:

I received notification by letter dated January 30, 2015, that the appellate arguments would be set during two different weeks in April. I was asked to let the Court know if I had a scheduling conflict.

Please be advised I have a week long date certain trial in Chesterfield County, beginning on April 13, 2015. It is expected to last all of the week of April 13 and, possibly, into the next week. Preparation for that case will be ongoing the week prior to April 13.

I would ask that the appellate argument for this case be set at a later date to allow me to properly prepare for the trial of the date certain case; and, if I finish the date certain case on the Friday before the proposed dates of April 21 or 22, I would not have time to prepare for the oral argument in this case. Therefore, I would request the Court set this argument for May, or such other time that is convenient to the Court.

I thank you for your inquiry.

Sincerely,

Richard B. Ness

RBN:dlh

CC: Andrew S. Radeker, Esq.