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S.C. Supreme Court

ALAN WILSON
ATTORNEY GENERAL

February 18, 2015

The Honorable Daniel E. Shearouse
Clerk of Court
South Carolina Supreme Court
HAND DELIVERED

Re: Summer v. Wilson Appellate Case No. 2014-002222
Status Update

Dear Mr. Shearouse:

I am writing to update the Court as to the partial remand of this case as directed by the Court of Appeals Order filed November 13, 2014. Pursuant to that Order, the appeal is held in abeyance pending the Circuit Court's resolution of the matter. New developments since my last report of January 16 are as follows:

- Later in the day on January 16, the Honorable Eugene Griffith issued an order regarding matters considered during the partial remand. The Defendant Wilson filed an appeal of that January 16 Order on February 12.
- The January 16 Order permitted Plaintiff Summer to move for production of additional documents as specified in the Order. Summer filed the motion yesterday, and her attorney has said that she will move for this Court to issue a partial remand to the Circuit Court for the purpose of considering that motion. The Appellant Wilson will submit a return to the remand motion after it is filed and reserves the right to oppose another partial remand.
- Applicant for Intervention Bauknight has filed a motion to withdraw his appeal that is part of Appellate Case 14-002222. Summer will file a return to the motion by February 23.

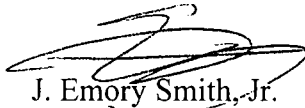
Given these developments, Appellant Wilson asks that Appellate Case No. 14-002222 continue to be held in abeyance pending resolution of Summer's planned motion for partial remand of the February 12 appeal and Bauknight's motion to withdraw his appeal. We anticipate moving to consolidate the February 12 appeal with Appellate Case 2014-002222 and to hold that appeal in

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abeyance pending resolution of the planned partial remand motion and the Bauknight motion. We have no objection to the Court's, *sua sponte*, consolidating the appeals and holding both in abeyance while the planned partial remand motion and the motion to withdraw are considered; however, as noted, we do reserve the right to oppose the partial remand as to the February 12 appeal of the January 16 Order.

If the Court has questions in the meanwhile or would like other action taken, please notify me.

Respectfully submitted,



J. Emory Smith, Jr.
Deputy Solicitor General
Counsel for Defendant Attorney General

cc: Thomas H. Pope, III, Esquire
Jay Bender, Esquire
Mark V. Gende, Esquire