



# The South Carolina Court of Appeals

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March 23, 2015

Mr. Bradley Davis Hewett, Esquire  
PO Box 8113  
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Re: Robin Otterbacher v. Jeremy and Tamara Snyder  
Appellate Case No. 2013-000821

Dear Counsel:

This Court requests Appellant to submit a memorandum addressing whether there is a justiciable controversy presented in this lawsuit. *See Auto-Owners Ins. Co. v. Rhodes*, 405 S.C. 584, 595, 748 S.E.2d 781, 787 (2013) ("[T]here must be a real or actual controversy between the litigants at the time of the institution of the [declaratory judgment] action."); *Park v. Safeco Ins. Co. of Am.*, 251 S.C. 410, 413, 162 S.E.2d 709, 710 (1968) ("[N]o right to recover can accrue to plaintiff against [the] insurance company until and unless [insured driver] becomes liable to pay."). Please submit your memorandum within ten days of the date of this letter.

Very truly yours,

A handwritten signature in cursive script that reads "Jenny A. Kitchings".

CLERK

cc: Andrew F. Lindemann, Esquire  
Jeremy Snyder  
Tamara Snyder