

transcript from the underlying January 7, 2015 hearing. (See Respondent's Response to Appellant James Travis Singleton's Motion to Reconsider, attached hereto as Exhibit C.) Thus, UIM Carrier received the transcript, marked "original", of the underlying hearing by electronic mail on March 17, 2015 and by U.S. Mail within days after.

Regardless of having possession of the transcript since March 17, 2015, UIM Carrier failed to file an initial appellate brief before April 16, 2015, thirty (30) days following UIM Carrier's receipt of the transcript, as required by Rule 208(a)(1). Accordingly, this appeal should be dismissed with prejudice.

Furthermore, regardless of having possession of the transcript, UIM Carrier requested that Court Reporter Margaret Woods send UIM Carrier an additional copy of the transcript, by letter dated April 6, 2015. (See Letter to Margaret Woods dated April 6, 2015, attached hereto as Exhibit D.) Respondent received a copy of UIM Carrier's letter by U.S. Mail and immediately forwarded another copy of the transcript, marked "original" to UIM Carrier by electronic mail on April 7, 2015. (See Email Correspondence dated April 7, 2015 attached hereto as Exhibit E.) Nevertheless, UIM Carrier failed to file an Initial Appellate Brief within thirty days, which or May 7, 2015.

Court reporter Margaret Woods mailed an additional copy of the transcript and signed Certificate Page to UIM Carrier on April 14, 2015, pursuant to UIM Carrier's request. (See Email Correspondence from Margaret Woods dated June 11, 2015, attached hereto as Exhibit F.) Regardless of UIM Carrier's having received several copies of the transcript within days after April 14, 2015, UIM Carrier failed to file an Initial Appellate Brief within thirty (30) days. Accordingly, this appeal should be dismissed with prejudice.

IN THE STATE OF SOUTH CAROLINA
In the Court of Appeals

RECEIVED

JUN 23 2015

APPEAL FROM SPARTANBURG COUNTY
Court of Common Pleas
R. Keith Kelly, Circuit Court Judge

SC Court of Appeals

Case No. 2013-CP-42-3055
Appellate Case No.: 2015-000653

John Davis and Jane Davis,Respondents.

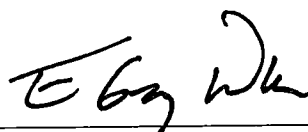
v.

James Travis Singleton,Appellant.¹

PROOF OF SERVICE

I certify that I have served United Services Automobile Association *page 7 of* Respondents John and Jane Davis's Return to United Services Automobile Association Petition for Rehearing of Order Dismissing Appellant James Travis Singleton's Appeal, *which was inadvertently left out of the original filing of June 17, 2015*, via United States Postal Service, on June 19, 2015, to his attorney of record, Ron Diegel, Esquire, at Murphy & Grantland, P.A., 4406-B Forest Drive, Columbia, SC 29206.

June 19, 2015



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Spartanburg, SC 29306
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¹ Please note that this caption has been changed from the caption atop the Appellant's Petition to reflect the proper caption in accordance with Rule 247, SCACR, and this Court's directive by letter dated April 21, 2015.

SPEARS & WICKER, P.A.

ATTORNEYS AT LAW

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June 19, 2015

The Honorable Jenny Abbot Kitchings
Clerk of Court
South Carolina Court of Appeals
Post Office Box 11629
Columbia, SC 29211

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JUN 23 2015

SC Court of Appeals

Re: John Davis and Jane Davis vs. James Travis Singleton
Civil Action No. 2013-CP-42-3055
Appellate Case No. 2015-000653

Dear Ms. Kitchings:

With regards to the above-captioned matter, please find enclosed the original and six (6) copies of **Page 7** of the Respondents John and Jane Davis's Return to Appellant James Travis Singleton's Petition for Rehearing of Order Dismissing his Appeal. **This one page was inadvertently left out of my June 17, 2015 submission.**

I would appreciate your filing the originals of these documents, clocking the copies, and returning the same to me in the enclosed, self-addressed, stamped envelope provided for your convenience.

Furthermore, please note that by copy of this letter, that I am placing counsel for the UIM Carrier, USAA, and James Travis Singleton on notice that the originals of these documents have been filed with your Court.

Should there be any questions or concerns, or if I may be of any further assistance, I await your instruction.

Signature Line on Following Page

With kind regards, I am

Sincerely yours,

A handwritten signature in black ink, appearing to read "E. Grey Wicker". The signature is written in a cursive, slightly stylized font.

E. Grey Wicker

Cc: Ron Diegel, Esquire
Marcus K. McGarr, Esquire

SPEARS & WICKER, P.A.

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JUN 23 2015

SC Court of Appeals

The Honorable Jenny Abbot Kitchings
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