

NANCE, McCANTS & MASSEY

ATTORNEYS & COUNSELORS AT LAW
218 NEWBERRY STREET, S W.
AIKEN, SOUTH CAROLINA 29801

JAMES D NANCE, L.L.C.
CLARKE W MCCANTS, III, PC
A. SHANE MASSEY, L.L.C
AMY PATTERSON SHUMPERT

POST OFFICE BOX 2881
AIKEN, SC 29802-2881
TELEPHONE (803) 649-6200
FAX (803) 649-5566
E-MAIL MCCANTSSRD@aol.com

September 7, 2012

RECEIVED

SEP 07 2012

The Honorable Jenny Abbott Kitchings
Clerk of Court, Court of Appeals
1015 Sumter Street
Columbia, SC 29211

SC Court of Appeals

IN RE Empire Fire and Marine Insurance Company, v. RB Recovery and Retail, LLC, also known
as RB Recovery & Bail Bond Agency, LLC, George R. Peterson and Suzanne B. Peterson
Civil Action No 2011-CP-06-111
Tracking No 2011 196966

Dear Ms Kitchings:

I previously advised your office that I did not have any conflicts during the
approaching Terms of Court during which the above-referenced matter may be heard Since that
time it has been necessary to schedule a trial before the Aiken County Master-in-Equity during the
week of October 29. I expect that two days will be necessary to conduct that trial I would, therefore,
respectfully request that I be excused from your Court on October 30 and 31, 2012.

I am forwarding a copy of this letter to opposing counsel and would ask that he
provide you with any additional information he deems necessary.

Thank you for your consideration of my request

With best regards, I remain

Very truly yours,



Clarke W McCants, III

CWM,III/aps
cc: J Martin Harvey, Jr , Esquire