

F. MILES ADLER

ATTORNEY AT LAW

July 28, 2016

VIA US MAIL

The Honorable Jenny Abbot Kitchings
Clerk of Court
South Carolina Court of Appeals
P.O. Box 11629
Columbia, SC 29211

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SC Court of Appeals

Re: Gabriel Barnhill and GSB Enterprises, LLC v J. Floyd Swilley at al.
C/A No.: 2014-CP-26-08367
Appellate Case No.: 2016 - 001328

Dear Ms. Kitchings:

I am writing in response to your letter to me dated July 20, 2016 asking me to provide an update regarding the appellants' position that a transcript does not need to be ordered. This appeal involves two orders issued by the trial court. The first order was issued from a hearing on February 16, 2016 at which the appellants were not present. The second order being appealed was issued in response to the appellants' Rule 59(e), SCRPC, motion filed in response to the trial court's first order. The trial court did not have a hearing prior to issuing the second order.

The appellants ordered the transcript from the February 16, 2016 hearing prior to the filing and service of the Notice of Appeal. As it was already in the possession of appellants prior to the filing of the Notice of Appeal, the appellants position is that it does not need to be ordered a second time.

Please contact my office if you need additional information.

Sincerely,



F. Miles Adler

cc: Swilley Appellants
Nate Fata
Heath Causey, Pro Se
Christopher Pitcock, Pro Se

ADLER LAW FIRM, LLC

P.O. Box 4743

Pawleys Island South Carolina 29585

T 843.314.3204

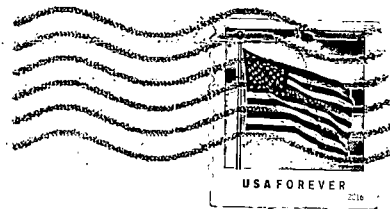
F 843.314.3205

adlerlaw.partners

ADLER LAW FIRM LLC
P.O. Box 4743
Pawleys Island, South Carolina 29585

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