

John Alden Bauer, III
5 Gumtree Rd. E-11
Hilton Head Island, SC 29926

August 19, 2016

Jenny Abbott Kitchings
Clerk of Court
PO Box 11629
Columbia, SC 29211

RECEIVED

AUG 19 2016

SC Court of Appeals

Re: John Alden Bauer, III v. Beaufort Co. Sch. Dist.
Appellate Case No. 2016-000955

Dear Ms. Kitchings,

Your patience and clarity is much appreciated.

From your letter of August 15, 2016: *"The Initial Brief is not accompanied by a Designation of Matter to be included in the record on appeal. The respondent's attorney has also not received a copy of the amended designation of matter as ordered by this court."*

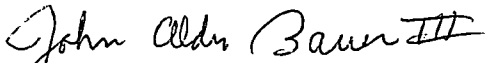
I am puzzled at the claim that respondent's attorney did not receive a copy of The Amended Designation of Matter. The Amended Designation of Matter was received by respondent's attorney and signed for by Milton Smith on August 9, 2016 at 10:51 a.m.

The Amended Initial Brief was delayed for a short time while I awaited information from respondent's attorney about the inclusion of a late development. Having no response, I filed and mailed the brief on August 12 and it was received on August 16 at 10:36 a.m. by respondent's attorney.

I note that I must remove the notice of appeal from the first page of the Amended Initial Brief. I thank you for the 10 day grace period to make the repair.

When I file the brief I will also plan to include the copy of the Amended Designation of Matter in order to comply with the simultaneity consideration.

Very truly yours,


John Alden Bauer, III

Copies:

David T. Duff, Esquire

David Nelson Lyon, Esquire

Drew H. Davis, Esquire