

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM BERKELEY COUNTY
Family Court

Jack A. Landis, Family Court Judge

Appellate Case No. 2012-19580

SCDSS and Susan Wilkey, Respondents,
v.
Samuel Heyward, Appellant.

NOTICE OF NON-APPEARANCE

Respondent South Carolina Department of Social Services, by the undersigned attorney, hereby notices the Court and the parties of its non-appearance at Oral Arguments currently scheduled for October 30, 2012, at 10:40 am, based upon the following reasons:

- 1) The South Carolina Department of Social Services is represented in this matter by counsel for the Child Support Enforcement Division. It has been made aware to the undersigned that his presence is necessary on behalf of the Division in Jasper County Family Court on the above date and time.
- 2) The Respondent South Carolina Department of Social Services did not file any brief or other response in this matter, and does not anticipate any beneficial contribution may occur by appearance at the Oral Argument. Respondent understands that pursuant to Rule 218(b), SCACR, that the Court will hear argument of any other party present.

WHEREBY, the Respondent South Carolina Department of Social Services will not be appearing at the above scheduled Oral Argument.


RECEIVED

OCT 24 2012

SC Court of Appeals

Respectfully submitted,

October 22, 2012



Paul F. LeBarron
PO Box 150012
Charleston, SC 29415-0012
(843) 953-9700
Attorney for Respondent SCDSS

Other Counsel of Record:

Merrill A. Cox, Esquire
123 S Goose Creek Blvd, Ste C
Goose Creek, SC 29445
(843) 863-9541
Attorney for Appellant

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PROOF OF SERVICE

I certify that I have served the Notice of Non-Appearence on Samuel Heyward by depositing a copy of it in the United States Mail, postage prepaid, on October 22, 2012, addressed to his attorney of record, Merrill P. Cox, 123 S Goose Creek Blvd, Ste C, Goose Creek, South Carolina 29445.

October 22, 2012



Paul F. LeBarron
Post Office Box 150012
Charleston, South Carolina 29415
(843) 953-9719
Attorney for Respondent SCDSS