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October 5, 2012

Hand Delivered

The Honorable Jenny Abbott Kitchings
Clerk, South Carolina Court of Appeals
1015 Sumter Street
Columbia, SC 29201

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OCT 05 2012

SC Court of Appeals

RE: CitiMortgage, Inc. v. William H. Smith, Jr., et al.
Civil Action No. 2009-cp-23-11051
Our File No. 26019/01688

Dear Ms. Kitchings:

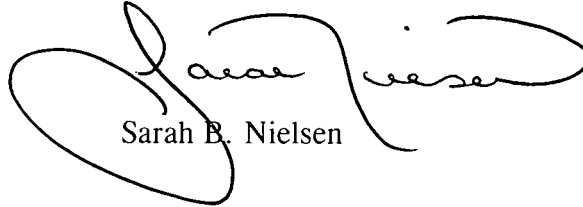
We are writing in regard to the Motion to Dismiss Appeal filed by our client, Respondent CitiMortgage, Inc. ("CitiMortgage"), on September 26, 2012. Prior to our filing the Motion to Dismiss Appeal, we confirmed that there was no letter on file with the Court indicating that the transcript had been ordered within the time period provided by Rule 207(a), SCACR. Because we were not furnished with any correspondence indicating that the transcript was ordered within the appropriate time period, we filed the Motion to Dismiss Appeal.

Subsequent to the filing of our motion, we were contacted by counsel for Appellants William H. Smith, Jr. a/k/a William H. Smith and Angella S. Smith ("Appellants") noting that the transcript was ordered on September 13, 2012. At that time, they inadvertently failed to copy us and the clerk of the Court of Appeals on their correspondence with the court reporter as mandated by Rule 207, SCACR. However, since that time, Appellants notified all parties and the clerk's office that the transcript has been ordered, received, and that the deadline for the Initial Brief of Appellant is October 17, 2012.

Based on the foregoing, we are withdrawing our Motion to Dismiss Appeal and it will not require a ruling from the Court. If you have any questions or need anything else from us, please let us know.

The Honorable Jenny Abbott Kitchings
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Very truly yours,

A handwritten signature in black ink, appearing to read "Sarah B. Nielsen". The signature is fluid and cursive, with a large loop at the beginning and a long, sweeping tail that ends in a small flourish.

Sarah B. Nielsen

SBN:cpr

cc: Bridget D. Swing, Esq.