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November 13, 2012

VIA FACSIMILE and U.S. MAIL

The Honorable Daniel E. Shearouse  
Clerk of Court  
The Supreme Court of South Carolina  
P.O. Box 11330  
Columbia, South Carolina 29211

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S.C. SUPREME COURT

Re: Tommy Berry v. SCDHEC  
Appellate Case No. 2011-192812

Dear Mr. Shearouse:

I am counsel for the Appellant in the above referenced matter. On November 2, 2012 I received written notification of dates the Court would likely hold arguments, and at that time I did not have a scheduling conflict. Since that time, however, I have been notified by the Court of Appeals of a date and time certain for argument in another case, *Leon P. Butler, Jr. v. William Wilson a/k/a Billy Wilson*, which is scheduled for January 9, 2013 at 3:00pm. I respectfully request the above referenced matter not be scheduled for hearing on January 9, 2013. I thank you for your kind consideration of this request.

Of course, please do not hesitate to contact me should you have any questions.

With kindest regards, I am

Yours very truly,

BELLAMY, RUTENBERG, COPELAND,  
EPPS, GRAVELY & BOWERS, P.A.

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