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November 27, 2012

Mr. Harold Simmons, Jr.  
1182 King St.  
Charleston, SC 29403

RE: Simmons, Harold vs. Charleston County

Dear Mr. Simmons:

I have a copy of the letter Ms. V. Claire Allen, Deputy Clerk of The South Carolina Court of Appeals, wrote you on November 16, 2012, concerning your RECORD ON APPEAL and stating:

- The binding does not comply with Rule 267(e), SCACR. Covers of each copy of the record on appeal and briefs shall be of a material not less than 50 pound weight and not glassine. Further, the front and back covers of each copy of the record on appeal must be white.

Ms. Allen further stated that "any deficiency must be corrected within ten (10) days of the date of this letter." If you have complied with Ms. Allen's request please serve a copy of the RECORD ON APPEAL on me as required by Rule 210(a), South Carolina Appellate Court Rules (SCACR). I have not yet received a copy from you.

I also have a copy of the letter from Ms. V. Claire Allen, Deputy Clerk, to you dated November 19, 2012, in which she states that your BRIEF OF APPELLANT was received by The South Carolina Court of Appeals on October 4, 2012, and that these deficiencies were noted under the South Carolina Appellate Court Rules (SCACR):

- An unbound copy has not been provided as required by Rule 267(d), SCACR.
- The binding does not comply with Rule 267(e), SCACR. The front and back covers of each copy of the brief shall be of a material not less than 50 pound weight and not glassine. Further, the front and back covers of each copy of the brief must be blue.
- The number of copies provided is not in compliance with the SCACR.

RECEIVED  
NOV 29 2012  
SC Court of Appeals

You must provide the original and fourteen (14) copies of your brief.

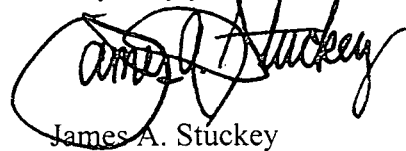
Ms. Allen further stated that "any deficiency must be corrected within ten (10) days of the date of this letter." If you have complied with Ms. Allen's request please serve a copy of the BRIEF OF APPELLANT on me as required by Rule 211(a), South Carolina Appellate Court Rules (SCACR). As of this date I have not yet received a copy from you.

Since you are correcting the deficiencies in your BRIEF OF APPELLANT as requested by Ms. Allen in order for you to comply with the applicable Court rules, I call your attention to Rule 211, SCACR, which requires that "The final brief(s) shall be identical to the brief[s] previously served under Rule 208, except for the following:

- (1) *References to the Record.* The references in the initial brief shall be revised to indicate where the material appears in the Record on Appeal.
- (2) *Correction of Typographical Errors and Misspellings.* The party may correct obvious typographical errors and misspellings which were contained in the initial brief. No other changes may be made.

In reviewing your purported Final Brief I note that it violates Rule 211 because you have made substantial material changes and additions from both copies of your Initial Brief of Appellant which you served on us on July 6, 2011, and August 24, 2011. I am sending a copy of this letter to Ms. V. Claire Allen to notify her of the facts that you have not yet served on us a copy of either your Record on Appeal or Final Brief.

Very truly yours,



James A. Stuckey

ssg

cc: Ms. V. Claire Allen  
Deputy Clerk, The South Carolina Court of Appeals