

THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Charleston County
Court of Common Pleas

Kristi L. Harrington, Circuit Court Judge

CASE NO. 2015-CP-10-05379
Appellate Tracking Number 2017-002317

RECEIVED
MAY 22 2018
SC Court of Appeals

William Sean Irvin, Jr., as Personal Representative of the Estate of
Jonathan Edward Irvin, Deceased,Appellant,

v.

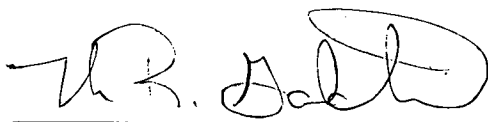
City of Folly Beach, South Carolina Department of Highways and Public Transportation,
Daniel Wilcutt, and Mitchell Dewitt Rabon, Jr., of whom

Mitchell Dewitt Rabon, Jr. is Respondent.

PROOF OF SERVICE

I certify that I have served the Record on Appeal on Respondent, Mitchell Dewitt Rabon, Jr., by depositing a copy of it in the United States Mail, postage prepaid, on May 21, 2018, addressed to his attorney of record, Mr. David S. Cobb, TURNER PADGET, L.L.P., P. O. Box 22129, Charleston, S. C. 29413-2129.

May 21, 2018



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May 21, 2018

Hon. Jenny Abbott Kitchings
Clerk of Court,
ATTN.: ELIZABETH CARTER
South Carolina Court of Appeals
1220 Senate Street
Columbia, S. C. 29201

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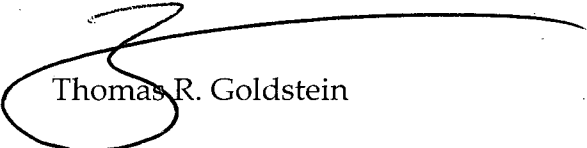
Re: William Sean Irvin vs. City of Folly Beach (Rabon), et. al.
Case Number: 2015-CP-10-05379
Appellate Tracking No.: 2017-002317

Dear Ms. Carter,

I enclose an original unbound and 14 bound copies of the Record on Appeal along with a Proof of Service in this case. By copy of this letter, I am serving a copy on counsel for the respondent, David Cobb.

There are two housekeeping matters I hope I can address in this letter, but if not, I can file a formal motion with the Court. The caption of this case should be "South Carolina Department of Highways and Public Transportation" or "S.C.D.O.T." The *Department of Motor Vehicles* is not a party and has never been a party in this suit. That error crept in through a scrivener's error on a pleading. Moreover, Max Mahaffee is not a "counsel of record" in this appeal. Under Rule 210(a), I am required to serve a copy of the Record on Appeal "on each party who has served a brief." The misidentification of Mr. Mahaffee as counsel of record also crept in via a scrivener's error which incorrectly listed him as counsel for the Respondent, Rabon. He is counsel for the defendant, Wilcutt, but not the co-defendant, Rabon, the Respondent in this appeal. I keep the other lawyers in the case informed of progress as a courtesy to them, but the only parties to this appeal are the Estate and the Respondent, Rabon. I hope this letter is sufficient to clear up this ambiguity. If I need to file a motion to correct the caption and/or list the lawyers in their correct capacity, please advise, and I will take a stab at that and try not to introduce more confusion. I thank you in advance for your attention to this request. With kind regards, I am

Very truly yours,
BELK, COBB, INFINGER & GOLDSTEIN, P.A.


Thomas R. Goldstein

TRG/
enclosure: Record on Appeal

cc: Victoria Anderson, attorney for Folly Beach
David Cobb, attorney for Respondent
Max Mahaffee, attorney for Daniel Wilcutt
Roy Maybank, attorney for S. C. D. O. T.