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December 19, 2012

The Honorable Jenny Abbott Kitchings  
Clerk, South Carolina Court of Appeals  
P. O. Box 11629  
Columbia, SC 29211

Re: Thomas Davis, Respondent vs. Charles Taylor, Appellant  
Case No: 2007-CP-40-8423

Dear Ms. Kitchings:

Following up my letter to Appellant of December 10, 2012 (a copy of which was provided your office), I enclose for filing the following:

1. Motion for Extension of Time to file Initial Brief and to designate matter to be included in the record;
2. Motion to Strike Appellant's Purported Record on Appeal.

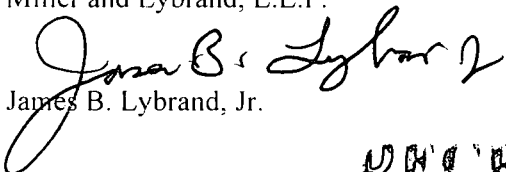
I am enclosing our check in the amount of \$50 which I understand represents the filing fee for consideration of said motions.

By copy of this letter to Appellant and Respondent, both of whom are pro se, I am advising them of my communication with the court and serving on each of them a copy of the above Motions.

Should your office require anything further, please let me know.

With Kind Regards,

McDonald, McKenzie, Rubin,  
Miller and Lybrand, L.L.P.

  
James B. Lybrand, Jr.

JBLj\pa  
Enc.

cc: Charles Taylor  
Thomas Davis

RECEIVED

DEC 20 2012

SC Court of Appeals

THE STATE OF SOUTH CAROLINA  
In The Court Of Appeals

66801

APPEAL FROM RICHLAND COUNTY  
Court of Common Pleas

Alison Lee, Circuit Court Judge

Case No. 2007-CP-40-8423

Charles Taylor,

Appellant,

v.

Thomas Davis,

Respondent.

CERTIFICATE OF SERVICE

I hereby certify that a copy of the Motion For Extension of Time to File Initial Brief and Motion to Strike Appellant's Purported Record on Appeal was served upon the counsel of record by depositing said papers in the United States Mail, Columbia, South Carolina, on the 19th day of December, 2012, with the first class postage duly affixed and a return address clearly indicated on the envelope, addressed as follows:

Charles Taylor  
P. O. Box 3652  
Sumter, SC 29151

Thomas Davis  
P. O. Box 773  
Manning, SC 29102



Paula Abrams  
Legal Assistant to James B. Lybrand, Jr.

Columbia, South Carolina

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DEC 20 2012

SC Court of Appeals

THE STATE OF SOUTH CAROLINA  
In The Court Of Appeals

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66861

APPEAL FROM RICHLAND COUNTY  
Court of Common Pleas

Alison Lee, Circuit Court Judge

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Case No. 2007-CP-40-8423

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Charles Taylor,

Appellant,

v.

Thomas Davis,

Respondent.

**RECEIVED**

DEC 20 2012

**SC Court of Appeals**

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MOTION TO STRIKE  
APPELLANT'S PURPORTED RECORD ON APPEAL

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State Farm Mutual Automobile Insurance Company, which appeared and defended this action in the lower court as Appellant's underinsured motorist carrier pursuant to §38-77-160, S. C. Code Ann. and which was served with the Notice of Appeal and listed as other party/counsel of record, respectfully moves for an order striking, nullifying or otherwise disregarding Appellant's purported record on appeal dated December 14, 2012. The undersigned submits that Appellant's purported record on appeal was not filed in accordance with Rule 210 (a) and (b) SCACR in that Appellant's record on appeal may not be filed until thirty (30) days after service of the last brief. Since the time for the undersigned party to file its initial brief and designate matter to be included in the record has not elapsed or expired, Appellant's purported record on appeal is premature and should not be accepted by the court.

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BY: 

JAMES B. LYBRAND, JR.  
Attorneys for State Farm Mutual Automobile  
Insurance Company, Underinsured Motorist  
Carrier of Appellant

Columbia, South Carolina

December 19, 2012