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ATTORNEYS AND COUNSELORS AT LAW

July 24, 2018

RECEIVED
JUL 26 2018
SC Court of Appeals

The Honorable Jenny A. Kitchings
Clerk of South Carolina Court of Appeals
Post Office Box 11629
Columbia, South Carolina 29211

RE: April Grant Mack as Personal Representative of the Estate of Barrett Demetric Jeremiah Mack vs. Estate of Harry Washington, Necole Binyard as Personal Representative of the Estate of Harry Washington
Case No.: 2017-001077

Dear Ms. Kitchings:

I represent the respondent in the above matter. Today I received a letter informing all attorneys of record that the final briefs have not been filed. Please be advised that in a letter to William Barr, counsel for the appellant, dated June 19, 2018, I informed him that I had received an unbound and incomplete copy of the record of appeal. Specifically, I noted that there were five documents listed on my designation of matter that were not included in the record. I copied the Court on that letter, which was received in your office on June 21, 2018. Mr. Barr then communicated with my office and requested from us a copy of one of the documents, the MAIT report, which I provided to him on July 11, 2018. To date, I have not yet received a complete, bound copy of the record on appeal, which has prevented me from being able to file a final brief on my client's behalf.

I am therefore requesting that the Court dismiss this appeal with prejudice pursuant to Rule 260, SCACR. In the alternative, I would request that I be permitted twenty (20) days to file the respondent's final brief following service of the correct record on appeal as required by Rule 211(a), SCACR.

The Honorable Jenny A. Kitchings
July 24, 2018
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With kindest regards, I am

Very truly yours,

A handwritten signature in black ink, appearing to read "Kimberly V. Barr". The signature is written in a cursive, flowing style.

Kimberly V. Barr
KVB:rh

cc: William J. Barr, Esquire
Jonathan M. Robinson, Esquire
Ashley B. Nance, Esquire

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