

April 4, 2019

VIA HAND DELIVERY

The Honorable Jenny Kitchings
Clerk of Court
South Carolina Court of Appeals
1220 Senate Street
Columbia, South Carolina 29201

RECEIVED
APR 04 2019
SC Court of Appeals

Re: Harwell v. Harwell
Case Tracking No. 2017-002290

Dear Ms. Kitchings:

I represent Bryan Harwell who is a Respondent/Appellant in this case where there are cross-appeals. The other Respondent/Appellant recently filed a motion to remand this case and declare a mistrial. Please treat this letter as my client's return to that motion.

The motion does not identify a legal basis for remanding this case or declaring a mistrial. The motion claims there were several errors in the proceedings below. The proper vehicle for addressing those errors would be through an appeal, not through a motion.

The progress of this appeal is being impeded because Respondent/Appellant Deborah Harwell has not filed a final brief. The other parties filed their final briefs five months ago.

In addition to alleging errors in the proceedings below, the motion also claims there have errors in the appellate process. Any such errors would not be a basis for a remand or a dismissal. Also, Rule 221(C), SCACR explains there is no petition for rehearing from an order that does not dismiss or finally decide an appeal.

If you have any questions or need any additional information, please do not hesitate to contact me.

Sincerely,

Blake Hewitt

Blake A. Hewitt *by emb w/ express permission*
Bluestein Thompson Sullivan, LLC

BAH:emb

cc: Kevin Barth, Esquire
Gena Phillips Ervin, Esquire
Barbara J. Wagner, Esquire
M. Dawes Cooke, Jr., Esquire
Deborah B. Harwell
John Harleston, Esquire