



**LEATH, BOUCH & SEEKINGS, LLP**  
 COMMERCIAL LITIGATION • CONSTRUCTION • ENVIRONMENTAL

January 28, 2013

**RECEIVED**  
 JAN 28 2013  
 SC Court of Appeals

**VIA FAX (803-734-1496)**

The Honorable Jenny Abbott Kitchings  
 Clerk, South Carolina Court of Appeals  
 1015 Sumter Street  
 Columbia, S.C. 29202

Re: Litchfield Plantation Ass'n, Inc., et al v. Litchfield Plantation Company, Inc.  
 Case No.: 2011-CP-22-0319  
 Appellate Case No.: 2012-212842

Diane:

The attached letter dated January 7, 2013, failed to indicate that I received the transcript on the date the letter was drafted. Please accept my apologies. To confirm, I received the Transcript of the April 19, 2012 TRO hearing on January 7, 2013.

It is my understanding, however, that the time for filing my initial brief will be held in abeyance until further notice from the Court.

Thank you and with best regards, I am

Yours very truly,

LEATH, BOUCH & SEEKINGS, LLP

Yancey A. McLeod III, Esq.

# The South Carolina Court of Appeals

Litchfield Plantation Association, Inc., Joseph E.  
Johnston, Thomas Eckard, Carol E. Kirby, Robert F.  
McMahan, Jr., and Thomas Martin Phillips, Appellants,

v.

Litchfield Plantation Company, Inc., and E. Scott Trotter,  
Respondents.

Appellate Case No. 2012-212842

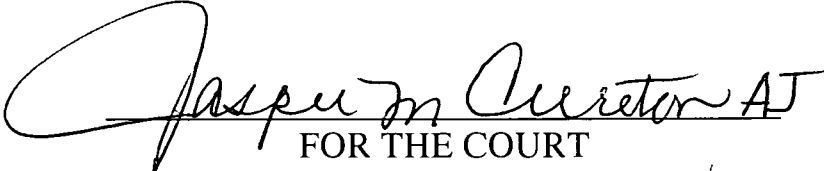
---

## ORDER

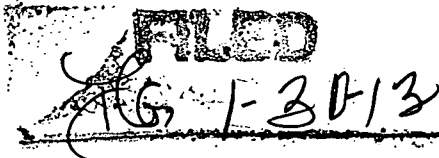
---

Respondents' motion to dismiss is denied. *See Link v. Sch. Dist. of Pickens County*, 302 S.C. 1, 6, 393 S.E.2d 176, 178–79 (1990) (providing that orders granting partial summary judgment may be immediately appealable under either the "involving the merits" or "substantial right" categories of section 14–3–330(1) and (2)(c) (Supp. 2012)).

Appellants' motion to order the transcript out of time is granted.

  
FOR THE COURT

Columbia, South Carolina

  
FILED  
AG 1-30-13

cc:

Timothy W. Bouch

Michael S. Seekings

Mark David Neill

Robert S. Shelton

Robert Francis McMahan, Jr.

Yancey Alford McLeod, III