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February 4, 2013

VIA Fax: 734-1496The Honorable Jenny Abbott Kitchings
Clerk of Court
S.C. Court of Appeals
P. O. Box 11629
Columbia, SC 29211

RECEIVED

FEB 24 2013

SC Court of Appeals

Re: Mell Woods' Appeals
MB File No.: 12085.4

Dear Ms. Kitchings:

This is a follow-up to and correction to my letter to you dated February 1, 2013. This is prompted by my discovery of inaccurate information in my February 1 letter and by my receipt of the Order dated January 31, 2013 dismissing the appeal in Appellate Case No. 2011-191876 (2010-CP-12-0168).

In my February 1 letter, I said that I had not received Appellant's Final Brief in Appellate Case No. 2011-191876 (2010-CP-12-0168). Over the weekend I discovered that Appellant's Final Brief was served on December 4, 2012. (the brief was in the wrong folder on my file shelf.) I apologize to the Court and to Mr. Woods for the oversight. However, the Court's Order dismissing appeal could not have been influenced by my February 1 letter because the Order was issued before my letter was prepared and mailed. I can only assume that you found a ground or grounds for dismissal based on the content, or lack thereof, of the Court's file. What effect, if any, this information has on the January 31, 2013 Order dismissing appeal is for the Court to determine.

In paragraph number 4 of my February 1 letter, I represented that I had not then received Appellant's Amended Initial Brief and Designation and confirmation to the Court that all of Appellant's designated matters were presented to the circuit court. I received those in today's mail. According to the USPS priority mailing envelope, the materials were mailed in Lancaster, SC on January 30, 2013; I have no explanation for the delayed delivery.

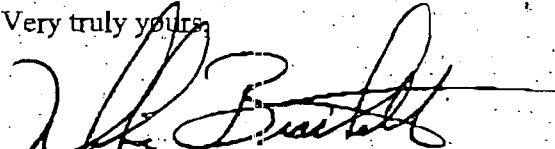
Also, in paragraph 5 of my February 1 letter, I represented that in Appellate Case No. 2012-212330 (2011-CP-12-0323) I had not then received Appellant's Initial Brief and Designation. They arrived in today's mail. According to the USPS priority mailing envelope, the materials were mailed in Lancaster, SC on January 24, 2013; I have no explanation for the delayed delivery.

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I am faxing this letter to you so that you receive this information as quickly as possible. I am unaware that Appellant has a fax machine, so I am mailing a copy to him. Thank you for your attention to this information.

Very truly yours,

A handwritten signature in black ink, appearing to read "E. Michael Brackett", written over a horizontal line.

E. Michael Brackett

BMB/ta

cc. Robert H. Breakfield, Esquire (U.S. Mail)
Mell Woods (U.S. Mail)