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THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

APPEAL FROM RICHLAND COUNTY  
Court of Common Pleas

Doyet A. Early, III, Circuit Court Judge

Case No. 2011-CP-40-6800

RECEIVED  
FEB 08 2013  
SC Court of Appeals

Byron A. Brown, MD,.....Appellant,

v.

Laurens County Health Care System,  
Richard E. D'Alberto, Brian W. Weaver, MD,  
Michael D. Stribling, MD, and  
Fleming T. Mattox, MD.....Defendants,

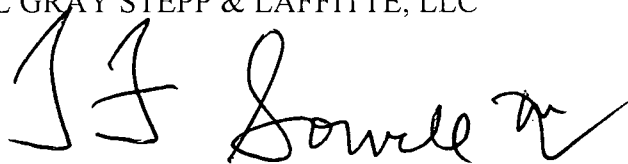
Of Whom Laurens County Health Care System,  
Richard E. D'Alberto, and Brian W. Weaver, MD are.....Respondents.

NOTICE OF APPEAL

Byron A. Brown, MD appeals the Order of the Honorable Doyet A. Early, III granting Defendants Laurens County Health Care System, Richard E. D'Alberto, and Brian W. Weaver, M.D.'s Motion to Strike Demand for Jury Trial. Appellant was notified by electronic mail on February 8, 2013 of Judge Early's decision to grant Defendants' motion and of Judge Early's intention to issue an oral order on Monday, February 11, 2013. A copy the February 8, 2013 email from Judge Early's Law Clerk to all counsel is attached hereto.

SOWELL GRAY STEPP & LAFFITTE, LLC

By: \_\_\_\_\_



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Attorneys for Appellant

Columbia, South Carolina  
February 8, 2013

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Attorneys for Respondents

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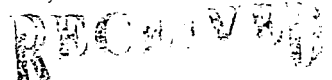
PROOF OF SERVICE

I certify that I have served a copy of the Notice of Appeal upon Respondents by depositing a copy of it in the United States Mail, postage prepaid, on February 8, 2013, addressed to their attorneys of record, Russell T. Burke, Esquire, and Jennifer J. Hollingsworth, Esquire, Nexsen Pruet, LLC, P. O. Drawer 2426, Columbia, South Carolina 29202-2426 and by email to [rburke@nexsenpruet.com](mailto:rburke@nexsenpruet.com) and [jhollingsworth@nexsenpruet.com](mailto:jhollingsworth@nexsenpruet.com).



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Attorney for Appellant



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SC Court of Appeals

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SC Court of Appeals

**VIA HAND-DELIVERY**

The Honorable Jenny Abbott Kitchings  
Clerk, South Carolina Court of Appeals  
Edgar Brown Building  
1205 Pendleton Street  
Columbia, South Carolina 29201

RE: Byron Brown, MD v. Laurens County Health Care System, Richard E. D'Alberto, Brian W. Weaver, MD, Michael D. Stribling, MD, and Fleming T. Mattox, MD  
Civil Action No.: 2011-CP-40-6800  
Our File No.: 6412/1500

Dear Ms. Kitchings:

Enclosed for filing please find the original and one copy of a Notice of Appeal on behalf of the Plaintiff in the above-referenced matter along with Proof of Service. Also enclosed is this firm's check in the amount of One Hundred and 00/100 Dollars (\$100.00) representative of the filing fee. I would appreciate your returning a clocked-in copy of same via our courier.

By copy of this letter to the Clerk of Court in Richland County, I filing same with the lower court and am serving same on counsel for Respondents as evidenced by the Proof of Service.

Very truly yours,



Thornwell F. Sowell

TFS:ksa

Enclosure

cc: Russell T. Burke, Esquire (via U.S. Mail w/ enclosure and email)  
Jennifer J. Hollingsworth (via U.S. Mail w/ enclosure and email)  
Honorable Jeannette W. McBride (via hand-delivery w/ enclosure)