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December 9, 2019

Writer's Email: kwoodington@dml-law.com

Hand Delivered

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

RE: Archie Patterson v. SCDEW
Appellate Case No. 2019-000599
Our File Number: 79.9168

RECEIVED
DEC 09 2019
SC Court of Appeals

Dear Ms. Kitchings:

This status report is filed in the above case, pursuant to the Court's Order of July 12, 2019, holding this appeal in abeyance and partially remanding the case to the circuit court to consider the pending motion made pursuant to Rule 59(e) of the South Carolina Rules of Civil Procedure.

As indicated in my letter of August 29, the parties in August wrote to Chief Justice Beatty, asking him to assign now-retired Judge Early to hear the pending Rule 59(e) motion. As indicated in my letter of October 11, after not receiving a response for some time, I contacted Brenda Shealy at the Clerk's Office. Apparently as a result of that call, one of Plaintiff's counsel was contacted on October 4, by Court Administration, which advised that Judge Early could not serve because he had signed an election not to serve. Court Administration further advised that they were going to assign someone else to the case, but as of this date we have not heard anything further.

I will provide another status report on or about January 8, 2020, unless something happens in the meantime.

With highest regards, I am

Sincerely yours,

DAVIDSON, WREN & DEMASTERS, P.A.



Kenneth P. Woodington

KPW/shr

The Honorable Jenny Abbott Kitchens

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cc: Daniel W. Williams, Esquire
C. Bradley Hutto, Esquire
Alexander D. Pattera, Esquire
Adam Protheroe, Esquire
Susan B. Berkowitz, Esquire

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