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JAN 06 2020

January 6, 2020

The Honorable Daniel E. Shearouse  
Clerk of Court  
Supreme Court of South Carolina  
Supreme Court Building  
1231 Gervais Street  
Columbia, SC 29201

S.C. SUPREME COURT

**Re: In Re: The Estate of James Brown a/k/a James Joseph Brown  
Tommie Rae Brown v. David C. Sojourner, Jr., et al.  
Appellate Case No. 2015-002417 (Court of Appeals)  
Appellate Case No. 2018-001990 (Supreme Court)**

Dear Mr. Shearouse:

As you know, we represent Petitioners Deanna Brown-Thomas, Yamma Brown, and Venisha Brown ("Petitioners") in the pending appeal referenced above. We are in receipt of the *Petition for Rehearing* filed by Respondent Tommie Rae Brown ("Respondent").

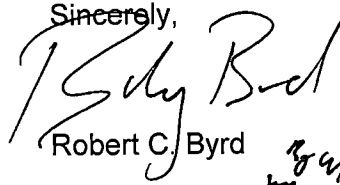
Rules 221(c) and 240(i) of the South Carolina Appellate Court Rules both expressly state that the Court "will not entertain petitions for rehearing on a motion or petition unless the action of the court on the motion or petition has the effect of dismissing or finally deciding a party's appeal." The Supreme Court's denial of the Respondent's Motion for Leave to Supplement the record did not have the effect of "dismissing or finally deciding a party's appeal" (even the Court's own C-Track entry reflects that the denial of the motion was a "non-dispositional decision"). Accordingly, the Petitioners object to the Petition for Rehearing on the grounds that it is not permitted by the Appellate Court Rules.

In addition, Rule 221(a) further provides that "[n]o return to a petition for rehearing may be filed unless requested by the appellate court." Therefore, we will respectfully await further instruction from the Court regarding whether a return is needed or desired from Petitioners.

If you should have any questions, please do not hesitate to contact me. With kindest regards, I am

PPAB 5312249v1

Sincerely,



Robert C. Byrd

*By wife  
with  
permission*

RCB:ksn

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