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Of Counsel  
Kenneth P. Woodington

March 9, 2020

Writer's Email: [kwoodington@dml-law.com](mailto: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**

MAR 09 2020

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, 2019, the parties in August 2019 wrote to Chief Justice Beatty, asking him to assign now-retired Judge Early to hear the pending Rule 59(e) motion. 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. Plaintiff's counsel understood that Court Administration was going to assign another judge to the case. Plaintiff's counsel contacted Court Administration in early February, and was advised that the parties should contact Judge Clifton Newman, Chief Administrative Judge for the Second Circuit, in order to have a judge assigned and a hearing date set.

Plaintiffs' counsel sent the enclosed letter to Judge Newman on February 13, 2020, and then on this date, sent a followup an e-mail to Judge Newman's chambers. Judge Newman responded on this date, March 9, 2020, advising that he could hold a status conference on March 12, subject to the availability of counsel. As of the time of the writing of this letter, a firm date has not yet been scheduled.

I will provide another status report on or about April 8, 2020, or earlier, if something happens in the meantime.

The Honorable Jenny Abbott Kitchens

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March 9, 2020

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With highest regards, I am

Sincerely yours,

DAVIDSON, WREN & DEMASTERS, P.A.



Kenneth P. Woodington

KPW/shr

Enclosure

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

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SC Court of Appeals

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South Carolina Court of Appeals  
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