

EVERT COMER, JR.
ATTORNEY AT LAW

18521 HERITAGE HIGHWAY
POST OFFICE BOX 386
DENMARK, SOUTH CAROLINA 29042

TELEPHONE (803) 793-3403
FACSIMILE (803) 793-3550
ECOMERJRATTORNEY@AOL.COM

February 21, 2013

James E. Reeves, Esquire
JAMES E. REEVES, P.A.
400 North Cedar Street
Summerville, SC 29483

COPY

John G. Frampton, Esquire
Dorchester County Attorney
PO Box 430
Summerville, SC 29484

Re: C. S. Carter vs. D. J. Brown
Appellate Case No. 2012-213177

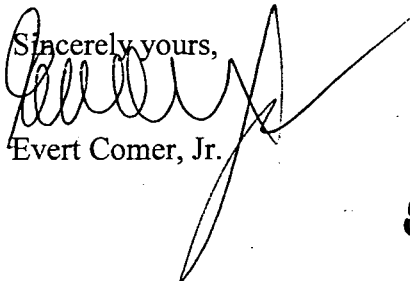
Gentlemen:

This is to thank you for your February 19, 2013, email, Mr. Reeves, on the transcripts asking whether the proof of service accompanying the proposed agreement forwarded to you by letter of February 12, 2013, was a mistake. That proof of service stated the Brief of Appellant was being sent. As advised, this was in error. I sent out to both of you by email on February 19, 2013, a corrected proof of service with the proposed Agreement for Only Merits Hearing Transcript. Both the email and the proposed agreement with corrected proof of service are enclosed.

Please excuse any confusion this may have caused.

This also confirms with you Mr. Reeves that a court reporter was not available or present for the summary judgment motion so a transcript could not be prepared. Therefore, the agreement would be only for the transcript for the hearing of the motion for new trial or to amend or to alter judgment. Both of you have advised that you have signed and mailed the consent to the agreement, and I await the same, which upon receipt, I will forward the agreement to the court of appeals and court administration. I will also contact the court reporter to withdraw the transcript request and advise.

With kindest personal regards, I am

Sincerely yours,

Evert Comer, Jr.

RECEIVED
FEB 22 2013
SC COURT OF APPEALS

rbc

Enclosures

xc: The Hon. Jenny Abbott Kitchings
Clerk of the South Carolina Court of Appeals
1015 Sumter Street
PO Box 11629
Columbia, SC 29211

Office of Court Administration
1015 Sumter Street, Suite 200
Columbia, SC 29201

Subj: **Re: Certificate of Service for Brief of Appellant**
Date: 2/19/2013 11:48:01 A.M. Eastern Standard Time
From: Ecomerjrattorney@aol.com
To: JimmyReeves@jreeves-law.com
CC: jgf@chellisandframpton.com

Jimmy,

The incorrect certificate was attached. The correct one is attached hereto. I will notify the S.C. Court of Appeals clerk and the Court Administration of the mistake. Also, I was in the file last night and saw in my notes that there was not a court reporter for the summary judgment motion. Is this your recollection as well? Thanks.

Evert

In a message dated 2/19/2013 8:11:25 A.M. Eastern Standard Time, JimmyReeves@jreeves-law.com writes:

Evert:

I hope you are well. I received in the mail a Certificate of Service indicating that the Brief of the Appellant had been mailed to me on February 12, 2013. I have not received this document. Was this Certificate a mistake? If not, would you please resend your Brief, as I have not received.

Thanks

Jimmy Reeves

James E. Reeves, P.A.

400 North Cedar Street

Summerville, SC 29483

Phone: (843) 832-7337

Fax: 1(888) 466-8615

CONFIDENTIALITY NOTICE: This electronic mail transmission has been sent by a lawyer or the staff of a lawyer. It may contain information that is confidential, privileged, proprietary, or otherwise legally exempt from disclosure. If you are not the intended recipient, you are hereby notified that you are not authorized to read, print, retain copy or disseminate this message, any part of it, or any attachments. If you have received this message in error, please delete this message and any attachments from your system without reading the content and notify the sender immediately of the inadvertent transmission. There is no intent on the part of the sender to waive any privilege, including the attorney-client privilege that may attach to this communication. Thank you for your cooperation.

RECEIVED

FEB 22 2013

SC COURT OF APPEALS