

April 28, 2020

RECEIVED

Apr 28 2020

SC Court of Appeals

The Honorable Jenny Abbott Kitchings
South Carolina Court of Appeals, Clerk of Court
Post Office Box 1629
Columbia, SC 29211-1629

RE: Ex Parte Trustgard Insurance Company, Appellant-Respondent, in re: Terence
Graham v. Full Logistics, Inc., Defendant, of whom Terence Graham is
Respondent-Appellant
Appellate Case No.: 2019-001506
GWB File No.: 10006-1

Dear Ms. Kitchings:

This office represents Appellant-Respondent Trustgard Insurance Company (“Trustgard”) in the above-referenced matter. Respondent-Appellant Terence Graham (“Graham”) filed a Motion to Dismiss Appellant-Respondent’s Appeal as Unappealable today. Per the South Carolina Supreme Court’s Order, which was issued on March 20, 2020, additional days are added to the current appellate court deadlines. In light of this Order, we understand that the due date to serve Trustgard’s Return to the Motion is May 28, 2020. Please let us know if our understanding is incorrect.

In addition, because the timing of Graham’s motion to dismiss is unusual in that it has been filed after the parties have already completed their initial briefing in this appeal, we request the Court’s assistance in determining the effect the motion will have on the upcoming deadlines in this matter. Per Rule 240, SCACR “[a] motion to dismiss an appeal or a motion to relieve counsel shall, however, automatically stay the time limits for perfecting the appeal until the motion is decided.” Therefore, as we understand this rule, it appears that the filing of the motion stays the upcoming deadlines in the appeal, including filing and serving the Record on Appeal and Final Briefs, until resolution of the motion. If this understanding is incorrect, please let us know.

Hon. Jenny Abbott Kitchings

April 28, 2020

Page 2 of 2

We appreciate your consideration of this matter.

With kind regards, I am

Sincerely,

A handwritten signature in blue ink, appearing to read "Janice", followed by a long horizontal line extending to the right.

Janice Holmes

JH/

cc: All Counsel of Record