

THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

APPEAL FROM HORRY COUNTY  
Court of Common Pleas

The Honorable John C. Hayes, III

Case No. 2017-CP-26-1571  
Appellate Case No. 2019-001665

**RECEIVED**  
**Aug 26 2020**  
**SC Court of Appeals**

David L. Scheer, as Personal Representative of the  
Estate of Matthew J. Scheer,.....Respondent,

v.

Southern Myrtle Inpatient Services, LLC, Nirlep A.  
Patel, M.D. and Rachel Ash-Bernal M.D. .... Defendants,

Of which  
Southern Myrtle Inpatients Services, LLC is.....Appellant.

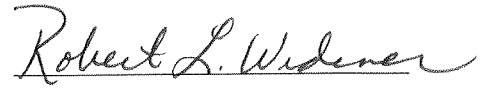
Appellant’s Return to Respondent’s Motion for  
Leave to File a Sur-Reply

This Court should deny the Respondent's motion to file a sur-reply brief. The SCACR does not mention or permit a sur-reply brief. The Respondent does not attempt to explain why a sur-reply brief is needed or should be allowed in this appeal. Therefore, this Court should deny Respondent's motion.

If this Court grants the Respondent's motion, the Appellant should be granted ten (10) days after the service of the Initial Sur-Reply Brief to serve and file an Initial Sur-Sur-

Reply Brief. This brief will be needed to address the as-yet unidentified issues and arguments that the Respondent will make in his Initial Sur-Reply Brief.

Respectfully Submitted,

A handwritten signature in cursive script that reads "Robert L. Widener".

Robert L. Widener  
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ATTORNEYS FOR APPELLANT

August 26, 2020  
Columbia, SC

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

APPEAL FROM HORRY COUNTY  
Court of Common Pleas

John C. Hayes, III, Circuit Court Judge

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**SC Court of Appeals**

David L. Scheer, as Personal Representative  
of the Estate of Matthew J. Scheer.....Respondent,

v.

Southern Myrtle Inpatient Services, LLC,  
Nirlep A. Patel, M.D., and Rachael Ash-Bernal, M.D.,.....Defendants,


OF WHOM Southern Myrtle Inpatient Services, LLC is .....Appellant.

CERTIFICATE OF SERVICE

I, Ann Shuler, an employee of Burr & Forman, LLP, hereby certify that a copy of the Appellant’s Return to Respondent’s Motion for Leave to File a Sur Reply was served on counsel for Respondent via email by mailing a true and correct copy this 26th day of August, 2020, addressed as follows:

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Ann Shuler