

January 19, 2021

Daniel E. Shearouse, Clerk
South Carolina Supreme Court
1231 Gervais Street
P.O. Box 11330 (29211-1330)
Columbia, SC 29201

RECEIVED

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S.C. SUPREME COURT

Re: Myat v. Tuomey Regional Medical Center
Appellate Case No. 2019-001757

Dear Mr. Shearouse:

On January 8, 2021, counsel for *amicus curiae*, the South Carolina Hospital Association, submitted a letter to the Court asserting that the South Carolina Appellate Court Rules required the submission of subsequent correspondence pertaining to discovery being conducted in a civil case that is currently being litigated at the trial court level. I would respectfully note that the Rule at issue provides:

Supplemental Citations. When **pertinent and significant authorities** come to the attention of a party after his initial brief(s) has been served and filed, the party shall promptly advise the clerk of the appellate court, by letter, with a copy to all counsel, setting forth the citations. There shall be a reference either to the page of the brief or to an issue to which the citations pertain, but the **letter shall, without argument, state the reasons for the supplemental citations**. Any response shall be made promptly and shall be similarly limited.

Rule 208(b)(7), SCACR (emphasis added).

The recent letter from the South Carolina Hospital Association does not cite to any sort of "authorities" but instead references discovery requests that are allegedly being conducted in a separate and unrelated action pending in circuit court. Further, the letter contains argument, which is specifically prohibited under Rule 208(b)(7), SCACR. Accordingly, the Petitioner would respectfully urge that the January 8th correspondence from the South Carolina Hospital Association be disregarded and given no consideration.

Respectfully submitted,



Francis M. "Brink" Hinson, IV

cc: Counsel of Record (*via email*)