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May 7, 2021

**VIA ELECTRONIC MAIL ONLY [ctappfilings@sccourts.org](mailto:ctappfilings@sccourts.org)**

The Honorable Jenny Abbott Kitchings  
Clerk, South Carolina Court of Appeals  
1220 Senate Street  
Columbia, SC 29201

**RECEIVED**

**May 07 2021**

**SC Court of Appeals**

RE: *Kacey Green v. Mervin Lee Johnson*  
App. Case No. 2020-001254  
Our File No. 15580

Dear Ms. Kitchings:

The Court of Appeals on February 4, 2021 granted Respondent-Appellant Mervin Johnson's Motion to Hold Appeals in Abeyance and remanded this matter to Master-in-Equity James Jackson, Jr. to consider Appellants-Respondents' Rule 59(e) motion. In its order, the Court directed Johnson to provide updates every thirty days until that motion is resolved.

Judge Jackson issued a Form 4 Order on March 8, 2021 denying Appellants-Respondents' Rule 59(e) motion. Therefore, the Greens' motion is now resolved and the Parties' issues with the trial court's orders are ripe for appeal. Consistent with his arguments to date, Johnson timely served a Notice of Appeal from the trial court order denying the Greens' Rule 59(e) motion. This Notice of Appeal was timely filed with the Court of Appeals on April 16, 2021. Although this is a new appeal, the Clerk of Court has not yet assigned a new Appeal Case Number.

Johnson also filed today his Initial Brief of Appellant for the new appeal. Because this is a new appeal, Johnson is listed as Appellant. Also, this Initial Brief bears the circuit court's civil action number because no new appeal number was assigned.

In response to the Master's Form 4 Order, Appellants-Respondents served and filed a motion to amend their Notice of Appeal and a motion for an extension of time to serve and file such notice. In light of these procedural issues, Johnson respectfully requests the Court decide his Motion to Dismiss Appeal Case No. 2020-001254 prior to resuming the briefing schedule, which was paused by this Court's order granting Johnson's Motion to Hold Appeals in Abeyance.

Please don't hesitate to let us know if you have any questions.

Very Respectfully,

  
Todd R. Flippin

cc: David R. Williams, Esq. (via email only)  
Charlie H. Williams III, Esq. (via email only)  
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