

# Whitfield-Cargile Law, PLLC

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February 3, 2022

**RECEIVED**

**Feb 03 2022**

**SC Court of Appeals**

**Via U.S. Mail and Email**

The Honorable Jenny Abbott Kitchings  
Clerk, South Carolina Court of Appeals  
Post Office Box 11629  
Columbia, SC 29211  
[ctappfilings@sccourts.org](mailto:ctappfilings@sccourts.org)

**Re: Molly M. Morphew, Appellant v. Stephen Dudek, et al., Respondents  
Appellate Case No. 2018-002185**

Dear Ms. Kitchings:

I write in response to the Appellant's letter, dated January 22, 2022.

First, in her letter, the Appellant states that she has not received my letter, dated January 11, 2022, in which I brought to the Court's attention that the Record on Appeal she recently served was not properly redacted. This seems to be a misrepresentation by the Appellant for the following reason: My January 11, 2022, letter was my first notice to the Court and all parties that I had changed firms and that my address should be updated. The Appellant sent her January 22, 2022, letter to my new firm. (See enclosed envelope from the Appellant). In other words, the only way the Appellant would know to send her January 22, 2022, letter to my new address is if she received, or at least reviewed, my January 11, 2022, letter. For that reason, I question her statement that she did not receive my January 11, 2022, letter.

Second, based on her letter, it is apparent that the Appellant has not served a fully redacted Record in compliance with the Court's January 14, 2022, letter. It also appears that she does not believe she is required to do so. Instead, the Appellant attempts to place her own deadlines on the Respondents and send non-sequential pages from the Record to only me. This does nothing to properly update the Record for everyone involved, including the Court.

Third, despite all of these concerns, I agree with the Appellant on one point – I am ready to see this appeal come to an end. In this vein, I am once again sending her the redacted version of the files that contain sensitive information. Recall that I previously sent these files to the Appellant in June for use in the Record. (See my June 21, 2021, letter). All of these issues could have been prevented, had the Appellant simply used the files I redacted and provided to her, nearly 7 months prior to her compiling and serving the most recent Record. Further, I am more than willing to consent to having just the volumes of the Record containing the problematic files

updated, assuming the Appellant uses the documents that have been redacted and that I am resending with this letter. That would partially alleviate her concern about reproducing the entire Record. Effectively, the files that I am sending to the Appellant in conjunction with this letter can be numbered accordingly and placed in the appropriate volumes. I am only sending these documents to the Appellant with a copy of this letter. If the Court requires a copy of the files, I would be more than happy to provide one.

I stand ready to take any action required by the Court. Please do not hesitate to contact me.


Best regards,



Sam Wheeler

cc: All counsel for Respondents and Respondents of record (via email)  
Appellant (via U.S. Mail)

Enclosures: (1) Copy of envelope (sent to Court and all parties)  
(2) Redacted files (sent only to Appellant)

  
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