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SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM FAIRFIELD COUNTY
Circuit Court

Donald B. Hocker, Circuit Court Judge

Civil Case No. 2019-CP-20-00241

Billy LarsonAppellant,

v.

South Carolina Department of Corrections..... Respondent,

Notice of Appeal

Appellant Billy Larson appeals the February 10, 2022 order remitting the jury’s verdict of \$ 4 million dollars and fifteen occurrences to a verdict of \$ 300,000 dollars and one occurrence.

A copy of the order and the verdict form are attached.

s/Whitney B. Harrison
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v.

South Carolina Department of Corrections..... Respondent,

Proof of Service

The undersigned hereby certifies Appellant’s Notice of Appeal and Motion for Remand were served by email on March 9, 2022, to the following:

Andrew Lindemann: andrew@ldlawsc.com

Damon Wlodarczyk: damonw@rplfirm.com

Respectfully submitted,

s/Whitney B. Harrison
Whitney B. Harrison (S.C. Bar No. 100111)
McGowan, Hood, Felder, & Phillips
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March 9, 2022
Columbia, SC



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SC Court of Appeals

March 9, 2022

The Honorable Jenny Abbott Kitchings
Clerk, South Carolina Court of Appeals
P.O. Box 11629
Columbia, SC 29211

RE: *Billy Larson v. South Carolina Department of Corrections*
Civil Case No. 2019-CP-20-00241

Dear Ms. Kitchings,

Enclosed are Appellant Billy Larson's: (1) Notice of Appeal and (2) Motion for Remand.

Appellant's motion requests the Court grant a remand to allow the lower court to rule on a pending 59(e) motion, along with outstanding motions that were raised and not ruled upon. By way of background, this matter was tried to verdict and Judge Donald B. Hocker on February 10, 2022, subsequently reduced the verdict. Appellant timely filed a 59(e) motion and opposing counsel has requested the opportunity to respond. Currently, this matter is under advisement to determine whether opposing counsel needs to brief the matter.

Appellant is filing this notice of appeal out of an abundance of caution to protect his appellate rights in light of the pending motions and to avoid any jurisdictional issue in the event this Court later determines the pending 59(e) was successive. Accordingly, Appellant respectfully requests that this Court grant a remand and hold the appellate matter in abeyance pending the lower court's disposition of the motions.

Please do not hesitate to let me know if the Court needs any further information.

Respectfully,

s/Whitney B. Harrison

Whitney B. Harrison

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Enclosures

cc: Andrew Lindeman
Damon Wlodarczyk
Kyle J. White
Joel S. Hughes