



**MCGOWAN HOOD
FELDER & PHILLIPS LLC**

CHAD A. MCGOWAN (SC,G.A.NC)
S. RANDALL HOOD
JOHN G. FELDER, JR.
ROBERT V. PHILLIPS
W. JONES ANDREWS, JR.
RUSSELL T. BURKE
JORDAN C. CALLOWAY
ASHLEY WHITE CREECH
SHAWN B. DEERY
CHANCE M. FARR (SC,NC)
JULIA M. FLUMIAN
KAMBRELL H. GARVIN

EVE S. GOODSTEIN
WHITNEY B. HARRISON
RICHARD A. 'TREY' JONES III
DANIEL W. LUGINBILL
ANNA S. MAGANN
G. DONOVAN MALLOY
AMANDA N. PITTMAN
S. RANEE SAUNDERS
JAMES L. WARD, JR. (SC,NC)
JAMES STEPHEN WELCH (SC,OK)
JAY F. WRIGHT

COPY

95786
95787

1517 HAMPTON STREET
COLUMBIA, SC 29201

T: 803.779.0100

WWW.MCGOWANHOOD.COM

E-MAIL: WHARRISON@MCGOWANHOOD.COM

March 9, 2022

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

RECEIVED
MAR 14 2022
SC Court of Appeals

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

Page 2

Enclosures

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

RECEIVED

MAR 14 2022
SC Court of Appeals

US POSTAGE

\$ 0.00738



McGowan, Hood, Felder, and Phillips, LLC
1517 Hampton Street
Columbia, SC 29201

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

