

April 17, 2013

**VIA HAND DELIVERY**

Honorable Jenny Abbott Kitchings  
Clerk, SC Court of Appeals  
John C. Calhoun Building  
1015 Sumter Street  
Columbia, SC 29201

**RECEIVED**

APR 17 2013

**SC Court of Appeals**

RE: Cherry T. Scott, as PR of the Estate of Elizabeth Jones v.  
Heritage Healthcare of Estill, LLC d/b/a Heritage of the Lowcountry  
and/or d/b/a Uni-Health Post Acute Care of the Lowcountry,  
United Clinical Services, Inc., United Rehab, Inc., and UHS-  
Pruitt Corporation  
Civil Action No. 10-CP-25-491 and 492  
**SC Court of Appeals Case No. 2012-207308**  
Our File No. 5593/1507

Dear Ms. Kitchings:

I enclose for filing the originals and one copy each of Initial Brief of Appellants and Designation of Matter to be Included in Record on Appeal with proof of service in the above-referenced matter. Please return a clocked-in copy of same to me for our records.


For the sake of clarity, on March 20, 2013, we filed identical Motions to Extend the Deadline to File the Initial Brief of Appellants in this case (2012-207308) and in a companion case, styled Linda Johnson, as Personal Representative of the Estate of Inez Roberts v. Heritage Healthcare of Estill, LLC, et al. (2012-207289). Our Motion was based on issues with receipt of an accurate and completed transcript of the hearing from which this appeal was taken, and we asked for a 30-day extension such that our deadline for filing the Initial Brief of Appellants would be April 17, 2013.

By Order dated March 25, 2013, the Court extended the time for serving and filing appellants' initial brief and designation of matter until appellants received a complete transcript, and the Court required appellants to advise the Court of the status of the transcript no later than April 17, 2013.

We are hereby advising the Court that the court reporter who ultimately prepared the transcript has taken the position that she cannot make any revisions nor fix any agreed-upon typographical or stenographical errors given that she was not present at the actual hearing. Counsel for the parties have agreed to a stipulation to clarify some of the arguments made at the hearing, and thus, we believe all transcript issues have been resolved. In an effort to avoid further delay, the Appellants are filing and serving their Initial Brief and Designation of Matter to be Included in the Record on Appeal along with this letter.

By copy of this letter to counsel shown below, I am serving a copy of same upon them by mail. Thank you for your assistance.

Yours truly,



J. Michael Montgomery

JMM:rcg  
Enclosures

cc: Lee D. Cope, Esquire  
Charles McCutchen, Esquire  
Margie Bright Matthews, Esquire