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March 21, 2022

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

VIA Email: [ctappfilings@sccourts.org](mailto:ctappfilings@sccourts.org)

Re: Aretha E. Bennett vs. Theola Pitts and Colleton County School District  
Appellate Case No. 2021-000827  
MFC No. 36297

**RECEIVED**  
**Mar 21 2022**  
**SC Court of Appeals**

Dear Madam Clerk:

I wish to withdraw my motion to file an amended record on appeal in the above captioned matter. At the time of my motion, I determined that an exhibit to my motion for summary judgment at the trial court level was inadvertently left out of the Record on Appeal. I believed at that time that it was necessary to seek an amendment/supplement to the Record on Appeal to have the exhibit which was a portion of the deposition transcript of Appellant that established the date of the alleged incident.

The deadline to file Respondent's Final Brief occurred prior to the Court's ruling on my motion to amend/supplement the Records on Appeal, and I went ahead and filed a Final Brief based on the Record on Appeal filed with the Court. After making changes to citations in the Final Brief, I determined that Appellant had admitted to the time of the alleged incident in their Brief which made my motion to amend/supplement moot. I failed to notify the Court prior to the Court ruling on the motion. Therefore, I wish to withdraw my motion to amend/supplement the Record on Appeal as being moot.

I have communicated this information to Appellant's attorney and he did not indicate any issues with my request to withdraw the motion to amend/supplement.

Sincerely,

MCLEOD FRASER & CONE, LLC

Peden Brown McLeod, Jr.

PBMjr/hcb