

FORD WALLACE THOMSON LLC

ATTORNEYS AT LAW

March 31, 2022

The Honorable Jenny Abbott Kitchings
Clerk, South Carolina Court of Appeals
1015 Sumter Street
Columbia, South Carolina 29201

RECEIVED
Mar 31 2022
SC Court of Appeals

Re: *Jimmy Helms v. Debbie Willing*
Circuit Court Case No. 2015-CP-40-07268
Appellate Case No. 2021-0898

Dear Ms. Kitchings:

I hope this letter finds you well. I represent the Appellant in this appeal, and I am preparing the Record on Appeal. In the course of doing so, I have stumbled upon a bit of an obstacle on which I require guidance from the Court. This pertains to submitting potentially sealed documents with the Record on Appeal. I write this letter at the suggestion of the case worker for this appeal.

In the circuit court, after the final order now on appeal was entered, the trial judge filed an "Order Sealing Documents," which I have enclosed for your review. What is unusual is that neither party filed a Motion to Seal pursuant to Rule 41.1 SCRPC, which typically would have identified with specificity which documents were requested to be sealed, and why. However, the *sua sponte* Order Sealing Documents describes the documents to be sealed as containing "detailed financial information" and as "the reports and reference documents *utilized by Mark Hodge.*" (emphasis added).

Therein lies the problem—it is not clear what documents the circuit court sealed, and my client does not want to inadvertently violate the order when filing the Record on Appeal with this Court.

Respondent's items numbers 3 and 4 designate "Summary Report of Marcus B. Hodge," and "Detailed Report of Marcus B. Hodge." Those items may be the items to which the Order Sealing Documents refers, but it is not clear. I do not believe that any other materials designated for inclusion would be covered.

Could you kindly provide guidance to me as to how to prepare the Record on Appeal? It is due to be served on April 13, 2022. If I could have an extension until ten days after the Court issues this requested guidance, I would be grateful.

Please do not hesitate to let me know if there is anything further that you require from me.

With kind regards, I am,

Yours very truly,

FORD WALLACE THOMSON LLC

A handwritten signature in blue ink, appearing to read "Ainsley F. Tillman". The signature is stylized and cursive.

Ainsley F. Tillman

cc: S. Jahue Moore, Esquire