

The South Carolina Court of Appeals

Pamela Cartee, Claimant,

v.

SC Judicial Department, Employer, and State Accident
Fund, Carrier,

In Re: Attorney's Fee Petition of Preston F. McDaniel,
Esquire, and John M. Milling, Esquire, Appellants,

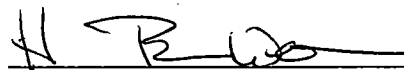
v.

South Carolina Workers' Compensation Commission,
Respondent.

Appellate Case No. 2023-000187

ORDER

After careful consideration, Appellants' motion to hold this appeal in abeyance pending the South Carolina Supreme Court's review of their motion for certification is denied. Appellants' motion to take judicial notice of excerpts from the record on appeal of an unrelated case is denied. *See Freeman v. McBee*, 280 S.C. 490, 494, 313 S.E.2d 325, 327 (Ct. App. 1984) ("It is not error for a judge to take judicial notice of what was stated in a former opinion in a prior action *of the same case.*" (emphasis added)); *Masters v. Rodgers Dev. Grp.*, 283 S.C. 251, 256, 321 S.E.2d 194, 197 (Ct. App. 1984) ("Notice of 'facts' for the first time on appeal may deny the adverse party the opportunity to contest the matters noticed; it may also violate the general principle that appellate review should be limited to the record."); Rule 210(c), SCACR ("The Record shall not . . . include matter which was not presented to the lower court or tribunal.").



C.J.

FILED
Jan 08 2024

FOR THE COURT

Columbia, South Carolina

cc:

Preston F. McDaniel, Esquire

John M. Milling, Esquire

Gregory Poole Harris, Esquire

John Lafitte Warren, III, Esquire