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Carmelo B. Sammataro

E-mail: SSammataro@TurnerPadget.com

Writer's Direct Dial: (803) 227-4253

Writer's Direct Fax: (803) 400-1532

July 26, 2013

RECEIVED

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SC COURT OF APPEALS

69235

VIA HAND DELIVERY

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

Re: Sylvester Dublin, Jr. v. Luther B. Hicks Logging and Palmetto Timber Fund
Appellate Case No.: 2012-213625
W.C.C. File No.: 0907957
TPGL File No.: 564.1043

Dear Ms. Kitchings:

In his motion filed in January of this year, Appellant herein moved the Court to hold his appeal in abeyance pending a decision on rehearing by the South Carolina Supreme Court in *Bone v. U.S. Food Service*, 399 S.C. 566, 733 S.E.2d 200 (Aug. 1, 2012). Following briefing by the parties, this Court filed its April 2, 2013 Order granting Appellant's motion and holding this matter in abeyance "pending action of the Supreme Court on the petition for rehearing in *Bone*" Thereafter, the South Carolina Supreme Court reaffirmed its prior holding dismissing the appeal as interlocutory and not subject to immediate appellate review. *See Bone v. U.S. Food Service*, Op. No. 27278 (S.C.Sup.Ct. filed June 25, 2013) (Shearouse Adv.Sh. No. 28 at 49).

In light of the Supreme Court's holding in *Bone*, and for the reasons stated in their Return to Motion To Hold Appeal In Abeyance, filed February 6, 2013, Respondents respectfully submit they are entitled to an order dismissing this appeal in its entirety pending a final judgment by the South Carolina Workers' Compensation Commission. Kindly advise if a more formal motion to this end is required.

Please date stamp the enclosed copy of this letter and return it to me via the enclosed envelope. I greatly appreciate the Court's assistance and consideration in this matter. By copy of this letter, I am advising counsel of record of this request.

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Bank of America Plaza • 17th Floor • 1901 Main Street (29201) • PO Box 1473 • Columbia, SC 29202
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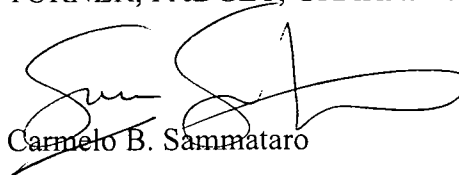
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With kind regards, I am

Very truly yours,

TURNER, PADGET, GRAHAM & LANEY, P.A.



Carmelo B. Sammataro

CBS/tj

Enclosure

cc: Ronald J. Jebaily, Esquire
Virginia L. Crocker, Judicial Director, SCWCC