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SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM CHARLESTON COUNTY
Court of Common Pleas

The Honorable Dale E. Van Slambrook
Ninth Judicial Circuit

Case No.: 2024-CP-10-00930

Appellate Case No.: 2025-000350

Brian Delesline, individually and as Personal Representative of the Estate of Hazel L. Manasse, Respondent,

v.

Medical University of South Carolina (MUSC), Denise Sese, MD, Johns Island Post Acute, LLC d/b/a Johns Island Post Acute, Craig Bullick, and Providence Group, Inc., Defendants,

of which Johns Island Post Acute, LLC d/b/a Johns Island Post Acute, Craig Bullick, and Providence Group, Inc. are the Appellants.

CONSENT REQUEST TO DISMISS WITH PREJUDICE

WHEREAS, Johns Island Post Acute, LLC d/b/a Johns Island Post Acute, Craig Bullick, and Providence Group, Inc. (collectively, the “Appellants”) and Brian Delesline, individually and as Personal Representative of the Estate of Hazel L. Manasse (“Respondent”) have settled the above-referenced matter.

NOW, THEREFORE, in accordance with Rule 260(b), SCACR, Appellants and Respondent jointly request and consent to the dismissal with prejudice of the above-referenced matter, with each party to bear its respective attorneys’ fees and costs.

WE SO REQUEST AND CONSENT:

BURR & FORMAN LLP

s/Daniel S. McQueeney, Jr.

Daniel S. (“Chip”) McQueeney, Jr. SC Bar #6802

J. Bennett Crites, III, SC Bar # 71695

Laura J. Evans, SC Bar #05843

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Daniel Island, SC 29492

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Attorneys for Appellants

WE SO REQUEST AND CONSENT:

s/Kevin J. Anderson

Kevin J. Anderson
Morgan & Morgan, P.A.
1544 Fording Island Road, Suite A
Hilton Head, SC 29926
Tel: (843-973-5191
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and

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and

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Email: cmiller@knightlawfirm.com

Attorneys for Respondent

McQueeney, Chip

From: Kevin Anderson x34514 <kanderson@forthepeople.com>
Sent: Monday, July 14, 2025 10:47 AM
To: McQueeney, Chip; Crites, J. Bennett
Cc: Lisa Reeves x35018; Morgan Reeves x31930
Subject: Re: *EXT*COA Dismissal Manasse/Delesline v. MUSC & JIPA

This is an EXTERNAL email! STOP, ASSESS, and VERIFY

Good with me. Thanks

Best,
Kevin

Kevin Anderson
Attorney

T: [\(843\) 973-5191](tel:(843)973-5191)
F: (843) 973-5216

1544 Fording Island Road, Suite A,
Hilton Head, SC 29926



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From: McQueeney, Chip <cmcqueeney@burr.com>
Sent: Monday, July 14, 2025 10:07:08 AM
To: Kevin Anderson x34514 <kanderson@forthepeople.com>; Crites, J. Bennett <bcrites@burr.com>
Cc: Lisa Reeves x35018 <lreeves@forthepeople.com>; Morgan Reeves x31930 <morgan.reeves@forthepeople.com>
Subject: RE: *EXT*COA Dismissal Manasse/Delesline v. MUSC & JIPA

Kevin,

I changed the language to be a request to dismiss. I have done a lot of appellate work, but I honestly don't recall settling one. Over the last 5 years or so, I have mostly handled appeals involving the City of Charleston, and these typically don't resolve.

I utilized a request for dismissal in a BAR appeal involving the Dewberry (attached) as a go-by for the attached request to dismiss. The parties requested the dismissal under Rule 260(b), so the Clerk of Court signed an order dismissing the matter and remitting it. I have attached these documents.

Please let me know if this works. Thanks.

Chip

****We have moved! Please see our new address!****



Chip McQueeney

Counsel

cmcqueeney@burr.com

843-973-6886 (*direct*)

850 Morrison Dr, Suite 300
Charleston, South Carolina 29403

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From: Kevin Anderson x34514 <kanderson@forthepeople.com>

Sent: Monday, July 14, 2025 9:51 AM

To: Crites, J. Bennett <bcrites@burr.com>

Cc: McQueeney, Chip <cmcqueeney@burr.com>; Lisa Reeves x35018 <lreeves@forthepeople.com>; Morgan Reeves x31930 <morgan.reeves@forthepeople.com>

Subject: Re: *EXT*COA Dismissal Manasse/Delesline v. MUSC & JIPA

This is an EXTERNAL email! STOP, ASSESS, and VERIFY

Should it be submitted as a Consent Order rather than a Consent Motion? The rule reads, in part, "An agreement that the proceeding be dismissed need not be in the form of a motion..."

Just my two cents. I don't practice at the appellate level regularly.

Best,
Kevin

Kevin Anderson
Attorney

T: [\(843\) 973-5191](tel:8439735191)

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Hilton Head, SC 29926



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From: Crites, J. Bennett <bcrites@burr.com>
Sent: Monday, July 14, 2025 9:29:42 AM
To: Kevin Anderson x34514 <kanderson@forthepeople.com>
Cc: McQueeney, Chip <cmcqueeney@burr.com>; Lisa Reeves x35018 <lreeves@forthepeople.com>; Morgan Reeves x31930 <morgan.reeves@forthepeople.com>
Subject: *EXT*COA Dismissal Manasse/Delesline v. MUSC & JIPA

CAUTION: Use caution when clicking on links or opening attachments in this external email.

Kevin,

Please see attached and let us know if we have your permission to file with the Court. Thanks.

Bennett



J. Bennett Crites

Partner

bcrites@burr.com

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*115 Fairchild Street, Suite 200
Daniel Island, South Carolina 29492*

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APPEAL FROM CHARLESTON COUNTY
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The Honorable Dale E. Van Slambrook
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**Brian Delesline, individually and as Personal Representative of the Estate of Hazel L. Manasse,
Respondent,**

v.

**Medical University of South Carolina (MUSC), Denise Sese, MD, Johns Island Post Acute, LLC
d/b/a Johns Island Post Acute, Craig Bullick, and Providence Group, Inc., Defendants,**

**of which Johns Island Post Acute, LLC d/b/a Johns Island Post Acute, Craig Bullick, and
Providence Group, Inc. are the Appellants.**

PROOF OF SERVICE OF CONSENT REQUEST TO DISMISS WITH PREJUDICE

Pursuant to Rule 262(b), SCACR, I certify that I have served the *Consent Request to Dismiss with Prejudice* on Respondent by emailing a copy, on July 14, 2025, to his counsel of record at the following email addresses: Kevin Joseph Anderson (kanderson@forthepeople.com); Jonathan S. Arndt (jonathan@thearndtlawfirm.com); Brandon J. Boyle (brandon.boyle@forthepeople.com); and Craig Francis Miller (cmiller@knightlawfirm.com) in accordance with Rule 262(c)(3), SCACR. A copy of the correspondence is attached hereto.

July 14, 2025

s/Daniel S. McQueeney, Jr.
Daniel S. ("Chip") McQueeney, Jr.
S.C. Bar No. 6802
BURR & FORMAN, LLP
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Charleston, SC 29403
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E-mail: cmcqueeney@burr.com

McQueeney, Chip

From: McQueeney, Chip
Sent: Monday, July 14, 2025 11:02 AM
To: 'Kevin Anderson x34514'; 'brandon.boyle@forthepeople.com';
'jonathan@thearndtlawfirm.com'; 'cmiller@knightlawfirm.com'
Cc: Evans, Laura; Crites, J. Bennett; Morgan Reeves x31930; Lisa Reeves x35018; Nestor, Tina
Subject: Delesline v. MUSC, Appellate Case No. 2025-000350
Attachments: Consent Request to Dismiss 07-14-2025.pdf; Consent to Filing 07-14-2025.pdf; POS
(Consent Request to Dismiss).pdf

Attached for service upon you, please copies of the Consent Request to Dismiss the above-referenced appeal, as well as the email consenting to the filing and a proof of service to be filed with the Clerk of the South Carolina Court of Appeals shortly. I will copy each of you on my email to the Clerk.

Thank you for your careful attention to this matter, and please let me know if you have any questions or concerns.

Chip McQueeney
SC Bar No. 6802