

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM RICHLAND COUNTY
L. Casey Manning, Circuit Court Judge

RECEIVED

JAN 06 2014

Case No. 2011-CP-40-3642

SC Court of Appeals

Vernon L. McCullough, Appellant,

v.

South Carolina Department of Corrections,
Palmetto Health d/b/a Palmetto Health Richland,
Jonathon David Taylor, M.D., Poorneema
Ramasamy, M.D., William R. Jennings, M.D.,
William H. Richardson, M.D. and Jennifer A. Adair, M.D., Respondents.

**RESPONDENT SOUTH CAROLINA
DEPARTMENT OF CORRECTIONS'
RETURN TO MOTION FOR RELIEF OF COUNSEL
FILED BY ERIC C. HALE**

Eric C. Hale, counsel for the Appellant Vernon L. McCullough, has filed a motion captioned as "Motion for Relief of Counsel" whereby Mr. Hale seeks to withdraw from his representation of the Appellant and to be formally relieved as

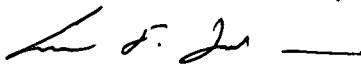
counsel for the Appellant. The Respondent South Carolina Department of Corrections (SCDC) has no objection to Mr. Hale being relieved as counsel on the condition that the Appellant not be allowed to use that action to further delay this appeal or obtain any additional extensions for the filing and service of his Initial Brief.

With the appearance of Mr. Hale in November 2013, the Appellant requested an additional extension for the filing of his Initial Brief. The Court granted that request by Order filed December 4, 2013, and set a final deadline of December 27, 2013 for the service and filing of the Appellant's Initial Brief. That Order stated that "[n]o further extensions will be granted absent extraordinary circumstances." As of the date of this filing, the Appellant has not met the December 27, 2013 deadline. The Respondent SCDC opposes the current motion of Mr. Hale if his motion is the precursor or impetus for the Appellant to seek an additional extension or relief from the current December 27 deadline that has not been met.

Mr. Hale's motion includes his "understanding" that the Appellant will be withdrawing his appeal. If that is the case, the Respondent SCDC has no objection to Mr. Hale's motion or the Appellant's withdrawal of his appeal. To date, however, no withdrawal has been received.

Respectfully submitted,

DAVIDSON & LINDEMANN, P.A.

BY: 

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*Counsel for Respondent South Carolina
Department of Corrections*

Columbia, South Carolina

January 6, 2014

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SC Court of Appeals

Case No. 2011-CP-40-3642

Vernon Lee McCullough, Appellant,

v.

South Carolina Department of Corrections, Palmetto Health
Richland a/k/a Palmetto Health Alliance, Jonathon David
Taylor, MD, Poorneema Ramasamy, MD, William R. Jennings,
MD, William H. Richardson, MD, and Jennifer A. Adair, MD, Respondents.

CERTIFICATE OF SERVICE

The undersigned employee of Davidson & Lindemann, P.A., attorneys for the Respondent South Carolina Department of Corrections, does hereby certify that service of **Respondent South Carolina Department of Corrections' Return to Motion for Relief of Counsel filed by Eric C. Hale** in the above-captioned matter was made upon all counsel of record by placing copies in the United States Mail, first class postage prepaid, at the below listed addresses clearly indicated on said envelopes this the 6th day of January 2014:

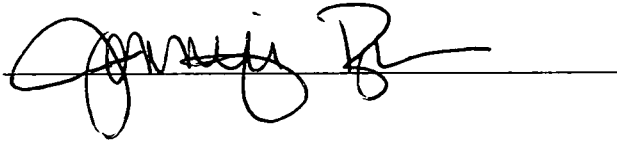
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A handwritten signature in black ink, appearing to read "William C. McDow", is written over a horizontal line.

DAVIDSON & LINDEMANN, P.A.

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January 6, 2014

Of Counsel
Kenneth P. Woodington

Writer's Email: alindemann@dml-law.com

Hand Delivered

The Honorable Jenny Abbott Kitchings
Clerk of Court
South Carolina Court of Appeals
Edgar Brown Building
1205 Pendleton Street
Columbia, South Carolina 29201

RE: Vernon L. McCullough v. South Carolina Dept. of Corrections, *et al.*
SCCA Case Tracking Number: 2013-001831
Civil Action Number: 2011-CP-40-3642
Claim Number: 55484
Our File Number: 104.9289

Dear Ms. Kitchings:

Please find enclosed for filing the original and seven copies of **Respondent South Carolina Department of Corrections' Return to Motion for Relief of Counsel filed by Eric C. Hale** in the above referenced matter. Please file the original and return a clocked-in copy to me by way of my courier.

By copy of this letter, I am serving copies on all counsel of record.

Thank you for your assistance in this matter.

Sincerely,

DAVIDSON & LINDEMANN, P.A.



Andrew F. Lindemann

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JAN 06 2014

SC Court of Appeals

AFL/jmb
Enclosures

The Honorable Jenny Abbott Kitchings
January 6, 2014
Page Two

cc: (w/ Enclosure)

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