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John Shannon Nichols  
Stacy Elizabeth Thompson  
John Dennis Delgado  
Allison Paige Sullivan  
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Blake Alexander Hewitt  
Kenneth Henry Dojaquez  
John Clarke Newton

OF COUNSEL  
O. Eugene Powell, Jr.

February 5, 2014

Honorable V. Claire Allen  
Deputy Clerk of Court  
South Carolina Court of Appeals  
Post Office Box 11629  
Columbia, South Carolina 29211

RE: Jones v. Warden and Smith Concrete  
Case Tracking No.: 2013-000931

Dear Ms. Allen:

Thank you for your court's recent correspondence regarding this case. In one of the letters I recently received, the court noted a deficiency in the caption of my initial reply brief.

I am perfectly happy to caption my final briefs and the record pursuant to the court's instructions, but I do wish to note my respectful disagreement with the position that a caption in an appeal must include designations from the lower tribunal like "employee," "claimant," "plaintiff," and "defendant." These are party designations that are no longer relevant in an appeal. Although many published decisions include them, my own view is that they are unnecessary distractions and are not required under Rule 267.

As the attached materials indicate, the Supreme Court has dropped these labels in the past. That said, I do not pretend to suggest that this has been that court's consistent practice.

I fully intend to change the caption in this matter as your letter instructs, but I do wish that the court would adopt the position that these identifiers are inappropriate once the case leaves the lower tribunal.

Yours sincerely,

*BLAKE*  
Blake A. Hewitt

Enclosures

cc: Nicolas L. Haigler, Esquire

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**THE STATE OF SOUTH CAROLINA**  
**In The Court of Appeals**

Mildred H. Shatto  
Employee/Claimant, Respondent,

v.

McLeod Regional Medical  
Center and Key Risk  
Management Services, Inc.,  
Employer/Carrier, Appellants,

and

Staff Care, Inc., and Travelers  
Insurance, Employer/Carrier, Respondents.

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Appeal From Richland County  
Appellate Panel, Workers' Compensation Commission

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Opinion No. 4865  
Submitted March 1, 2011 – Filed August 10, 2011

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**REVERSED AND REMANDED**

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Walter H. Barefoot and Carmelo B. Sammataro, of  
Columbia, for Appellants.

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**SC Court of Appeals**

**THE STATE OF SOUTH CAROLINA  
In The Supreme Court**

Mildred H. Shatto, Petitioner,

v.

McLeod Regional Medical Center and  
Key Risk Management Services, Inc.,  
Respondents,

and Staff Care, Inc. and Travelers Insurance,  
Defendants.

Appellate Case No. 2011-201186

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**ON WRIT OF CERTIORARI TO THE COURT OF APPEALS**

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Appeal from the South Carolina Workers' Compensation  
Commission

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Opinion No. 27341  
Heard October 2, 2013 – Filed December 18, 2013

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**REVERSED AND REMANDED**

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Blake A. Hewitt and Margaret M. Bluestein, both of  
Bluestein, Nichols, Thompson & Delgado, LLC, of  
Columbia for Petitioner.

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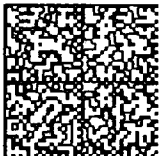
**SC Court of Appeals**




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