

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

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

Case No. 2011-CP-40-3642

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 RICHARD BOLEN**

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SC Court of Appeals

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

counsel for the Appellant.¹ The Respondent South Carolina Department of Corrections (SCDC) has no objection to Mr. Bolen 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.

In November 2013, after Eric Hale made an appearance, 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. Bolen 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.

In sum, as long as the Appellant is not allowed to use the withdrawal of counsel as a basis for extending the December 27 deadline for the filing of his initial brief, the Respondent SCDC has no objection to Mr. Bolen's motion.

¹ A similar motion to be relieved as counsel for the Appellant was filed by Eric Hale, and that motion is still pending.

Respectfully submitted,

DAVIDSON & LINDEMANN, P.A.

BY: 

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Department of Corrections*

Columbia, South Carolina

February 14, 2014

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

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L. Casey Manning, Circuit Court Judge

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 Richard Bolen** 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 14th day of February 2014:

Eric C. Hale, Esquire
Law Office of Eric C. Hale, LLC
Post Office Box 1605
Irmo, South Carolina 29063

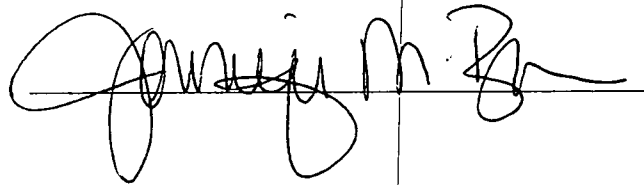
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A handwritten signature in black ink, appearing to read "William C. McDow", is written over a horizontal line. The signature is stylized and cursive.

DAVIDSON & LINDEMANN, P.A.

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February 14, 2014

Of Counsel
Kenneth P. Woodington

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

The Honorable Jenny Abbott Kitchings
Clerk of Court
South Carolina Court of Appeals
Post Office Box 11629
Columbia, South Carolina 29211

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 Richard Bolen** 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

AFL/jmb
Enclosures

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The Honorable Jenny Abbott Kitchings
February 14, 2014
Page Two

cc: (w/ Enclosure)

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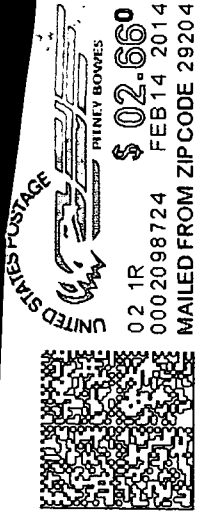
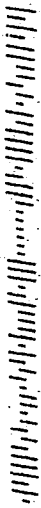
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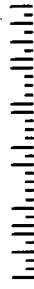
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