

McDANIEL LAW FIRM
ATTORNEYS AND COUNSELORS AT LAW
1315 ELMWOOD AVENUE
COLUMBIA, SOUTH CAROLINA 29201

Proudly representing injured workers
for over 30 years.

Preston F. McDaniel

Matthew Robertson

Telephone (803) 771-7211

Facsimile (803) 252-0709

August 27, 2015

VIA EMAIL - callen@sccourts.org

AND VIA FACSIMILE - 734-1839

AND US MAIL

V. Claire Allen

Deputy Clerk of Court, SC Court of Appeals

Post Office Box 11629

Columbia, South Carolina 29211

RECEIVED

AUG 27 2015

SC Court of Appeals

RE: Clarence Winfrey, Employee, Respondent, v. Archway
Services, Inc., Employer, and American Fire &
Casualty Insurance Co., Carrier, Appellants.
Appellate Case No. 2014-001788

Dear Ms. Allen:

Please find attached, which I am hereby filing with the Court, a Motion to Dismiss the Appeal filed in the above-reference matter which I am also serving on Counsel for the Appellants by copy of this letter. In addition to the Proof of Service the required \$25.00 filing fee is attached. Pursuant to SCACP Rule 240(b), this Motion stays the time limits for perfecting the Appeal until the Motion is decided. I will await the Court's decision either dismissing the Appeal and/or the Court's direction on the contents of the Record, the filing of my Respondent's Brief, and perfecting the appeal.

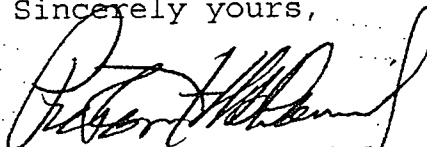
On a side note, the Appellants had moved to relieve George Gallagher as Counsel of Record on July 8, 2015 and a decision was rendered on that Motion on July 31, 2015. The Order granting the Motion to Relieve Counsel was issued on July 31, 2015 as was the Order granting an Extension of Time to file my Respondent's Brief. The Order relieving Counsel did not address the filing of my Respondent's Brief and as you know, under SCACR Rule 240 when a Motion to be relieved as Counsel is filed, there is also an automatic stay in the time limits. It would not have made much difference but I was just wondering should the stay and due date change have been addressed in the Order? Just wondering and a simple phone call would do to let me know.

As always I appreciate all the courtesies and kindnesses shown

V. Claire Allen
Deputy Clerk of Court, SC Court of Appeals
August 27, 2015
Page 2 of 2

to me by the Court, and in particular, in reference to extensions and working with me on any appeals in which I am involved. It is becoming extremely difficult as a sole practitioner to keep up with the time limits/requirements, practice law, make a living, have a life and properly represent my other clients. Again, please tell everyone thank you for the courtesies.

Sincerely yours,



Preston F. McDaniel

PFM/abh/kth
Enclosures

cc: Brett H. Bayne, Esquire (via email brett.bayne@mgclaw.com and US Mail)

THE FACE OF THIS DOCUMENT HAS A COLORED BACKGROUND ON WHITE PAPER

PRESTON F. McDANIEL
McDANIEL LAW FIRM
COST ACCOUNT
1315 ELMWOOD AVENUE
COLUMBIA, SC 29201
(803) 771-7211

FIRST CITIZENS BANK
COLUMBIA, SC

09398

67-604/539

8/26/2015

PAY TO THE ORDER OF SC Court of Appeals

\$ **25.00

Twenty-Five and 00/100 ***** DOLLARS

SC Court of Appeals
PO Box 11629
Columbia, SC 29211



Preston F. McDaniel MP

MEMO

Filing Fee- Clarence B. Winfrey, Jr wcc# 1306305

⑈009398⑈ ⑆05390604⑆ ⑆08007 8644409⑈

SECURITY FEATURES INCLUDED. DETAILS ON BACK.

RESTON F. McDANIEL / McDANIEL LAW FIRM / COST ACCOUNT

09398

SC Court of Appeals

8/26/2015

SCCOA: Filing fee : Winfrey, Clarence 6545-13

25.00

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SC Court of Appeals

FC - Cost Acct.

Filing Fee- Clarence B. Winfrey, Jr wcc# 13063

25.00

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Preston F. McDaniel

Matthew C. Robertson

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SC Court of Appeals

FAX TRANSMISSION COVER SHEET

Date: 8-27-15
From: Preston F. McDaniel
To: V. Claire Allen, Deputy Clerk
Fax Number Called: 734-1834
Regarding: Appellate Case #, 2014: 001788
Comments: _____

Please see attached.

Thank you in advance ☺

We are transmitting 49 pages, including face sheet.

If you have any problems with this transmission, please call me
at 803-771-7211.

Transmitted from Fax Number 803-252-0709

Transmitted by: PM

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