

**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

Telephone (803) 771-7211

Matthew Robertson

Facsimile (803) 252-0709

July 25, 2016

**VIA FACSIMILE - 734-1839  
AND US MAIL**

Honorable V. Claire Allen  
Deputy Clerk of Court  
SC COURT OF APPEALS  
Post Office Box 11629  
Columbia, South Carolina 29211

**RECEIVED**

JUL 26 2016

SC Court of Appeals

**RE: Clarence Winfrey v. Archway Services, Inc. (1)  
Lower Court Case No. 1306305  
Appellate Case No. 2014-001788**

Dear Ms. Allen:

I am truly confused by the current administrative decision returning the Motion for Rehearing which I filed under Rule 240(j) as to the ruling of an, "individual Judge" of the Court of Appeals, that being Judge Thomas. Previously, the Court has interpreted Rule 240(j) in reference to a motion decided by an individual judge to allow for rehearing according to the last sentence of that Rule by a three (3) member panel of the Court.

I fully understand that there is no appeal or petition for rehearing from a decision on rehearing by the three (3) member panel.

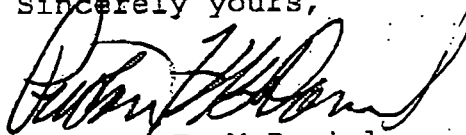
Also, please advise me if I am wrong but I know of no Rule that prevents Judge Thomas from vacating her Order based on the actions taken by the Defendants and by the Supreme Court.

Finally, both the original Motion filed before Judge Thomas and the Petition have nothing to do with the Appeal filed in this matter other than the fact that the legislature has shifted the responsibility under SC Code §42-17-60 to the Court away from the Circuit Court during the pendency of the Appeal.

I await the Court's reply but will proceed in accordance with your Administrative Order.

By copy of this fax and letter, I am notifying Mr. Bayne of this communication and serving him with a copy.

Sincerely yours,



Preston F. McDaniel

PFM/abh

cc: Brett H. Bayne, Esquire (via fax and US Mail)

CERTIFICATE OF SERVICE BY MAIL

I hereby certify that I have on this day served the following in the matter of Clarence Winfrey, Employee, Respondent v. Archway Services, Inc., Employer and American Fire & Casualty Insurance Co., Carrier, Appellants, with a copy of the Letter to Honorable V. Claire Allen dated July 25, 2016 by depositing the same in the United States Mail with adequate postage thereon and also by facsimile, addressed as follows:

V. Claire Allen (Fax - 734-1839)  
Deputy Clerk of Court  
SC Court of Appeals  
P. O. Box 11629  
Columbia, SC 29211

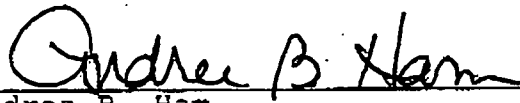
Brett H. Bayne, Esquire (Fax - 748-0526)  
McAngus Goudelock & Courie, LLC  
P. O. Box 12519  
Columbia, SC 29211

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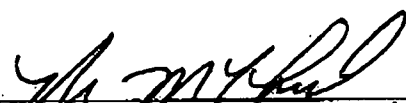
JUL 26 2016

SC Court of Appeals

I also hereby certify that a regular communication by mail exists.

  
\_\_\_\_\_  
Andrea B. Ham

SWORN TO BEFORE ME this 25th  
day of July, 2016.

  
\_\_\_\_\_  
Notary Public for South Carolina (L.S.)  
My Commission Expires: 2/4/21

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FAX TRANSMISSION COVER SHEET

Date: July 25, 2016  
From: McDaniel Law Firm  
To: V. Claire Allen  
Fax Number Called: 734-1839  
Regarding: Clarence Winfrey v. Archway  
Comments:

RECEIVED

JUL 26 2016

SC Court of Appeals

Please see attached letter.  
Thank you.

We are transmitting 23 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: Andrew Han

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