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SC Court of Appeals

# The Supreme Court of South Carolina

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July 08, 2016

Preston F. McDaniel, Esquire  
1315 Elmwood Ave.  
Columbia SC 29201

Brett Harris Bayne, Esquire  
1320 Main Street  
Meridian, 10Th Floor  
Columbia SC 29201

Re: Clarence Winfrey, Employee v. Archway Services, Inc., et al.  
Appellate Case No. 2016-001426

Dear Counsel:

Enclosed is a copy of the Order issued in the above matter. This Order is also being forwarded to you by email in the interest of time.

Mr. McDaniel, your check No. 09742 is being returned herewith since there is no filing for original writs.

Very truly yours,

Chief Deputy Clerk

Enclosures

cc: The Honorable Jenny Abbott Kitchings

# The Supreme Court of South Carolina

Clarence Winfrey, Employee, Petitioner,

v.

Archway Services, Inc., Employer, and American Fire & Casualty Insurance Company c/o Liberty Mutual Group, Carrier, Respondents.

Appellate Case No. 2016-001426

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## ORDER

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An appeal from an order of the Workers' Compensation Commission is currently pending before the court of appeals. Petitioner asks this Court to issue an emergency *ex parte* protective order postponing a deposition scheduled in this matter for July 11, 2016. Petitioner also moves for a writ of prohibition to prohibit the court of appeals from enforcing its order dated July 6, 2016, directing petitioner to file a motion for a protective order with the Appellate Panel of the Workers' Compensation Commission.

The Court has been advised that the Workers' Compensation Commission has granted petitioner protection through July 18, 2016, and the deposition will be rescheduled. Accordingly, we dismiss the request for an emergency protective order and the request for a writ of prohibition as moot.<sup>1</sup>



C.J.

FOR THE COURT

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<sup>1</sup> Petitioner has also requested a writ of mandamus to direct the court of appeals to enforce its order "in reference to the deposition and to rule on matters within its jurisdiction pursuant to the appeal which is currently pending before the SC Court of Appeals in reference to the Motion for a Protective Order as to the provision of medical care and for such further relief as requested in the Motion." This request will be taken under advisement by the Court.

7  
Columbia, South Carolina

July 8, 2016

cc:

Preston F. McDaniel, Esquire

Brett Harris Bayne, Esquire

The Honorable Jenny Abbott Kitchings