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September 23, 2016

Via Hand Delivery:

The Honorable Jenny Abbott Kitchings
The South Carolina Court of Appeals
1220 Senate St.
Columbia, South Carolina 29211

RECEIVED

SEP 23 2016
SC Court of Appeals

RE: *Theodore Polansky v. SC Attorney General*
Appeal Case No: 2016-001890 & 2016-001892
Case No. 2015-CP-4007380 & 2015-CP-4007468
WCC No.: 9922954 & 0024408
Claim No.: 1999-003671 & 2000-3303
DOA: 10/19/1999 & 5/30/2000
Our File No.: 1200-0073 & 1200-0074

Dear Mrs. Kitchings:

I am in receipt of your September 14, 2016 letters regarding these matters instructing that Orders corresponding to the dates listed on the Notice of Appeals be submitted. I intend to address the issues listed in your letter through the enclosure provided with this letter.

It is my understanding, and I request that you please confirm, that Appellate Case No. 2016-001890 has been assigned to the Notice of Appeal relating to Order dated July 28, 2016 in Civil Action No. 2015-CP-4007380 (this is the same Civil Action that gave rise to Appellate Case No. 2016-001494, which challenges a different Order from the same civil action that is dated June 3, 2016). Based on this understanding, I have enclosed a copy of that July 28, 2016 Order to address the deficiency listed in your letter.

It is also my understanding, and I request that you please confirm, that Appellate Case No. 2016-001892 has been assigned to the Notice of Appeals relating to Orders listed on the Notice of Appeals as being dated July 28, 2016 and August 8, 2016 in Civil Action No. 2015-CP-4007468. I have enclosed a copy of a filed Stipulation of Dismissal without prejudice that has been filed in the Circuit Court in relation to Civil Action No. 2015-CP-4007468 (the Claimant's Cross Appeal in Circuit Court).

TEM

MCKAY, CAUTHEN, SETTANA & STUBLEY, P.A.

Based on this dismissal below, I request to withdraw my appeals filed in relation to Civil Action No. 2015-CP-4007468, with the reservation of all rights to refile future appeals in the event that the Claimant re-files the action below. This requested withdrawal should have no affect on the Appeals of the two orders from Civil Action No. 2015-CP-4007380 (Appellate Case No. 2016-001494 & 2016-001890).

Should anything in this letter require further discussion, please call me on my direct dial: 803-705-2149.

Sincerely,

A handwritten signature in black ink, appearing to read "Temus C. Miles, Jr.", written over a horizontal line.

Temus C. Miles, Jr.

Enclosures

cc: Preston McDaniel

THE STATE OF SOUTH CAROLINA)
)
COUNTY OF RICHLAND)
)
Theodore Polansky,)
)
Employee)
Respondent/Cross Appellant,)
)
vs.)
)
SC Office of Attorney General,)
)
Employer,)
)
and)
)
South Carolina State Accident Fund,)
)
Carrier)
Appellants/Cross Respondents.)

IN THE COURT OF COMMON PLEAS
OF THE FIFTH JUDICIAL CIRCUIT

Case No.: 2015-CP-40-07468

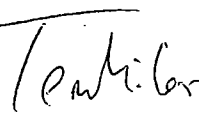
STIPULATION OF DISMISSAL

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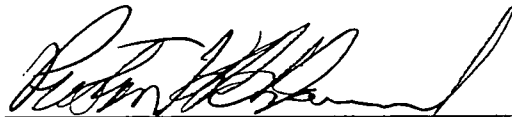
2016 SEP 22 PM 4: 02
JEANNETTE W. MCBRIDE
C.C.P. & G.S.

RICHLAND COUNTY
FILED

Pursuant to Rule 41(a)(1) of the South Carolina Rules of Civil Procedure the above-captioned action is dismissed without prejudice by stipulation of the Plaintiff and with the consent of the Defendant. This Dismissal shall be of no effect on the companion Appeal bearing Civil Action No. 2015-CP-40-07380.



Temus C. Miles, Jr., Esquire
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P.O. Drawer 7217
Columbia, SC 29202
Attorney for Appellants/Cross Respondents



Preston F. McDaniel, Esquire
The McDaniel Law Firm
1315 Elmwood Ave
Columbia, SC 29201
Attorney for Respondent/Cross Appellant

Dated: 9/22/16

LAW OFFICES

MCKAY, CAUTHEN,
SETTANA & STUBLEY, P.A.

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1200-0073