

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

Proudly representing injured workers  
for over 25 years.

Preston F. McDaniel

Telephone (803) 771-7211

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November 11, 2016

VIA FAX 803-734-1499

VIA US MAIL

Honorable Daniel E. Shearouse  
Clerk of Court  
SC Supreme Court  
1231 Gervais Street  
Columbia, South Carolina 29201

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NOV 14 2016  
SC Court of Appeals

VIA FAX 803-734-1499

VIA US MAIL

Brenda F. Shealy  
Chief Deputy Clerk  
SC Supreme Court  
P.O. Box 11330  
Columbia, South Carolina 29211

**RE: NOTIFICATION OF EMERGENCY SITUATION  
MONDAY, NOVEMBER 14<sup>TH</sup>, POTENTIAL REQUEST FOR  
EMERGENCY RELIEF FROM THE COURT**

**IN RE:**

**Clarence Winfrey v. Archway Services, Inc., Employer,  
and American Fire & Casualty Insurance Company c/o  
Liberty Mutual Group, Insurance Carrier, Defendants.  
SCWCC File No. 1306305. After favorable Award on Appeal  
Appellate Case Nos. 2014-001788, 2014-001815  
& 2014-001816**

Dear Mr. Shearouse and Ms. Shealy:

We were advised after 4:00 p.m. on November 10<sup>th</sup> that the insurance carrier, Liberty Mutual Group, pursuant to an Administrative Order issued by a Commissioner without hearing was stopping temporary total compensation benefits and medical care. Mr. Winfrey is currently at home recovering from heart valve replacement at MUSC followed by a stroke which has partially paralyzed his left side resulting in him having to have transportation, a wheelchair, a walker and a brace just to be able to walk and home healthcare for activities of daily living, and his total means of subsistence is his workers' compensation payments.

Honorable Daniel E. Shearouse,  
Clerk of Court  
Ms. Brenda F. Shealy,  
Chief Deputy Clerk  
November 11, 2016  
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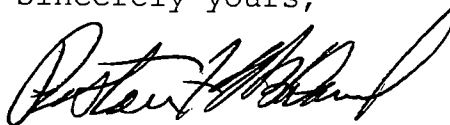
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**SC Court of Appeals**

Today is Veteran's Day so I cannot seek emergency relief from the Commission or otherwise due to all State and Federal offices being closed.

I wanted to put you on notice that Monday morning I will first seek emergency relief from the SC Workers' Compensation Commission and barring that I will seek emergency relief with the Court and would appreciate it if you would let me know as to what Justices will be available so that I can personally seek an ex parte emergency Order the purpose of which would be to prevent a stoppage of benefits in accordance with the Form Administrative Order issued without hearing until the Court can hear and make a decision on a Writ of Mandamus and Prohibition which I will file.

Sincerely yours,



Preston F. McDaniel

PFM/kth

cc: Hon. Jenny Abbott Kitchings ✓  
Brett H. Bayne, Esquire

McDaniel Law Firm  
1315 Elmwood Avenue  
Columbia, SC 29201

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

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