

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

**Proudly representing injured workers
for over 25 years.**

Preston F. McDaniel

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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 14TH, 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 10th 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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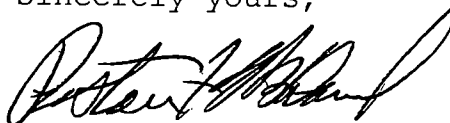
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SC Court of Appeals

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
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SC Court of Appeals
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