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THE STATE OF SOUTH CAROLINA
Court of Appeals

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APR 16 2018

SC Court of Appeals

APPEAL FROM THE SOUTH CAROLINA WORKER'S COMPENSATION
COMMISSION WCC NO. 1306305

COURT OF APPEALS APPELLATE CASE NO. 2014-001788
SUPREME COURT APPELLATE CASE NO. 2017-002251

Clarence B. Winfrey, Jr., Employee,Respondent,

v.

Archway Services, Inc., Employer,
And American Fire & Casualty Insurance Company,
Carrier,Appellants/Petitioners.

MOTION FOR THE TAXING OF COSTS AND
ATTORNEY'S FEES AGAINST THE APPELLANTS/PETITIONERS

YOU WILL PLEASE TAKE NOTICE that pursuant to Rules 222
and Rule 242, SCACR, the Respondent hereby moves for the
taxing of costs and attorneys' fees as allowed under the
Rules. Said Motion is based upon the following:

1. That pursuant to the Remittitur dated April 5,
2018, and Order of the SC Supreme Court dated and filed
March 29, 2018 (attached hereto and incorporated herein by
reference), the Petition for Writ Certiorari filed by the
Appellants/Petitioners was denied by the Supreme Court.
The Award to the Respondent by the S.C. Workers'
Compensation Commission had been affirmed on appeal by this

Court and the Petition for rehearing had been denied.

2. That the South Carolina Appellate Court Rules, Rules 222 and 242, provide that where the Judgment on Appeal is affirmed, the Respondent is allowed to move for the taxing of costs and pursuant to the Rule, an Itemized Statement of Costs incurred by the Respondent is attached hereto and is incorporated herein by reference. Further, pursuant to the Rule, the Respondent is entitled to the taxing of an Attorney's Fee of One Thousand Dollars and Zero Cents (\$1,000.00), in the Court of Appeals and One Thousand Dollars and Zero Cents (\$1,000.00) before the Supreme Court.

WHEREFORE, based upon the decisions of the Supreme Court and the Court of Appeals and the Rules of Court, the Respondent hereby moves for the taxing of costs and attorney fees in this matter.

I SO MOVE.

Respectfully submitted,



Preston F. McDaniel, Esq
SC Bar No. 3770
McDaniel Law Firm
1315 Elmwood Avenue
Columbia, SC 29201
(803) 771-7211
Attorney for Respondent

April 12, 2018

Other Counsel of Record:

Brett H. Bayne, Esquire
McAngus, Goudelock & Courie
Post Office Box 12519
Columbia, SC 29211
(803) 779-2300

Attorney for Appellants/Petitioners

THE STATE OF SOUTH CAROLINA
Court of Appeals

APPEAL FROM THE SOUTH CAROLINA WORKER'S COMPENSATION COMMISSION
WCC NO. 1306305

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v.

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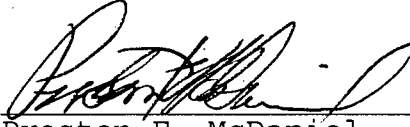
PROOF OF SERVICE

I certify that I have served the MOTION FOR THE TAXING OF COSTS AND ATTORNEY'S FEES AGAINST THE APPELLANTS/PETITIONERS and ITEMIZED STATEMENT OF COSTS on April 12, 2018, addressed as follows to its Attorneys of Record:

Brett H. Bayne
McAngus Goudelock Courie LLC
1320 Main Street, 10th Floor
Columbia, SC 29211

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Dated: April 12, 2018


Preston F. McDaniel
SC Bar No.: 3770
MCDANIEL LAW FIRM
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Columbia, South Carolina 29201
(803) 771-7211
Attorney for Respondent

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

April 12, 2018

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SC Court of Appeals

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

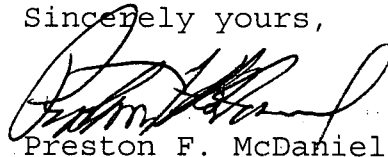
RE: Clarence B. Winfrey, Jr. v. Archway Services,
Inc. and American Fire & Casualty Insurance Co.
Court of Appeals Appellate Case No. 2014-001788

Dear Ms. Kitchings:

Enclosed herewith for filing, please find the original and seven (7) copies of our **MOTION FOR THE TAXING OF COSTS AND ATTORNEY'S FEES AGAINST THE APPELLANTS/PETITIONERS and ITEMIZED STATEMENT OF COSTS**, along with the original Proof of Service of the same and required filing fee in the above-named matter. I would appreciate your returning a clocked-in copy to me in the enclosed self-address, stamped envelope.

By copy of this letter I am serving counsel for the Appellants/Petitioners with a copy of our Motion.

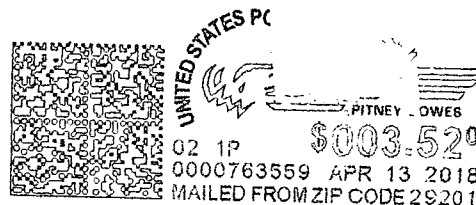
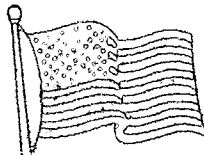
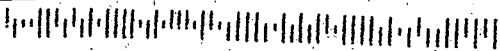
Sincerely yours,



Preston F. McDaniel

PFM/smk/abh/smk
Enclosures

cc: Brett H. Bayne, Jr., Esquire



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