

89074

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

February 18, 2019

VIA HAND DELIVERY

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

RECEIVED
FEB 19 2019
SC Court of Appeals

**RE: Pamela Cartee v. SCJD (Preston F. McDaniel)
Appellate Case No. 2018-001234**

Dear Ms. Kitchings:

This is to request a thirty (30) day extension for the filing of the Initial Brief and Designation of Matter of the Appellants in the above-referenced matter. Also enclosed is the required filing fee of \$50.00 for making this request. This is the first request that we have requested in this matter in reference to the Appellants' Initial Brief and Designation of Matter, which would be due to the Court on February 25th. By copy of this letter I am notifying Counsel for the Respondent of this request.

Also, concerning this request as the Court is aware I had filed a Motion to Dismiss without prejudice based on a lack of jurisdiction of the Court due to lack of a final Order from the Agency. I had filed a Motion for Reconsideration by the Court for review of Judge McDonald's Decision denying that Motion. A Motion to Dismiss under the Rules stays the appeal pending a decision and I believe that the same would apply to a Petition for Rehearing to a Motion to Dismiss until it is decided. If I am correct I would appreciate it if the Court would notify me of that because if the Petition for Rehearing was granted and the appeal is dismissed without prejudice, the appeal would be dismissed. If it is denied, the Briefing Schedule would have to be reset. If either occurs, of course, this request would not be necessary. However, I have no objection with it being granted and the Court retaining the filing fee, even though I am sure I am correct upon the reading of the Rules, and a Briefing Schedule will be unnecessary or will be reset.

✓

Honorable Jenny Abbott Kitchings

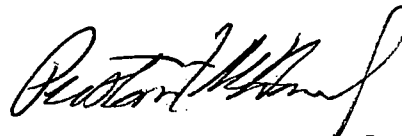
February 18, 2019

Page 2

Finally, while an explanation of a primary first request is not normally needed, in this instance I want to relay a little bit of why I make this request for the Court's consideration. This appeal involves my personal interest and the personal interest of my co-counsel and I cannot take away from the normal processing of my clients and so I am having to find time to process this appeal in addition to my normal Court, Commission, Hearing, and Appellate schedule.

I look forward to hearing from the Court but will keep processing the appeal according to the Court's direction until I hear otherwise.

Sincerely yours,



Preston F. McDaniel

PFM/kth
Enclosure

cc: John M. Milling, Esquire
T. Parkin Hunter, Esquire
Harley L. Kirkland, Attorney