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February 12, 2019

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

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SC Court of Appeals

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

Dear Ms. Kitchings:

I am writing this letter in an attempt to try to resolve my concerns and issue with the caption of the case so that we can move on in that regard in this appeal, and I can quit wasting everyone's time and resources. My problem, as reiterated in numerous motions and documents filed with the Court and with opposing Counsel and the Commission, was and is my ethics concern and my legal concern for the involvement of Ms. Cartee and the State Accident Fund and the SC Judicial Department in the primary captioning of the case when they are not involved as parties, either Appellant or Respondent.

Mr. Milling and I are the Appellants and the Commission is the Respondent and my concern has been and is over their names being included in any published or unpublished Opinion issued by the Court in this matter. I would appreciate it if you would review and if you could let me know as to whether or not, if there is a published or unpublished Opinion in this matter, will it or can it be published wherein in the first instance, I and Mr. Milling appear as Appellants and the Commission as Respondent, or will Ms. Cartee, the State Accident Fund, and the SC Judicial Department appear first and/or as part of the caption. If the caption will or can simply reflect the Appellants and Respondent, then I will not waste any more time and money in trying to address and protect my former client and the State Accident Fund and the SC Judicial Department when they are not parties to nor have they had any involvement in this action with having their names splashed all over the Advance Sheets when they had absolutely nothing to do with this.

Honorable Jenny Abbott Kitchings

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By copy of this letter I am notifying Counsel representing the Commission of this request and would ask them to advise as to whether or not they have any objection to you or someone representing the Court responding or addressing this issue.

Since the beginning when this whole issue came to light after the Court changed the caption, I have had grave concerns over my ethical responsibility to my former client, particularly as to protecting the sanctity of the attorney-client relationship and the sanctity of freedom of contract and with that very privilege contractual relationship. The Court has gone to great lengths in the Rules to protect in general the personal data from being disclosed and I hope the Court understands and can appreciate my concerns. I have the utmost respect for the Court and have absolutely no desire to be at odds with any one over this issue wherein I feel duty bound to protect the sanctity of the attorney-client relationship and my client's name. I hope the other attorneys feel the same way for the insurance carrier, the State Accident Fund, and the employer, the SC Judicial Department, who have absolutely nothing to do with this appeal nor any involvement in this action.

I await your reply and as always, I appreciate all the courtesies and kindnesses shown to me by you and the Court. I have repeatedly requested a meeting, or a hearing to discuss this and I would be glad to do anything possible to resolve this issue.

Sincerely yours,



Preston F. McDaniel

PFM/kth

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

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