

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

June 24, 2019

RECEIVED

JUN 26 2019

VIA FAX -- (803) 734-1499
AND US MAIL

The Honorable Daniel E. Shearouse
Clerk of Court
SC Supreme Court
1231 Gervais Street
Columbia, South Carolina 29211

S.C. SUPREME COURT

RE: Clarence B. Winfrey, Jr. v. Archway Services,
Inc. and American Fire & Casualty Insurance Co.
Appellate Case No. 2017-002236

Dear Mr. Shearouse:

When we notified the Court of the settlement of the underlying workers' compensation claim, I was advised that the Court would require a Motion to Dismiss in reference to the settlement. I have kept the Court advised and several weeks ago, I submitted a revised proposed Consent Agreement to Respondents and have regularly checked with Respondents' counsel but have not received the signed agreement at this time.

Your letter also refers to the Petitioner withdrawing the Petition within ten (10) days or the Court will proceed to consider the Petition.

Separate and apart from the Consent Agreement based on the settlement in the Motion I make the request, without the consent of the Respondents, that the Court consider as part of the dismissal vacating the Unpublished Opinion of the South Carolina Court of Appeals that gave rise to the Petition in the first place.

Therefore, while we have agreed upon the dismissal due to the settlement, if I do not receive the Motion by Consent

The Honorable Daniel E. Shearouse

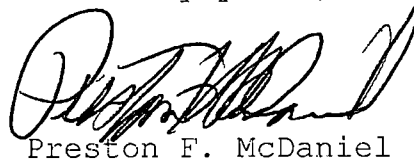
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back from opposing counsel by Wednesday, I will file the Motion as a Motion to Withdraw the Petition Pursuant to Rule 260(c), SCACR.

As always, I appreciate all the courtesies and kindnesses shown to me by the Court.

Sincerely yours,



Preston F. McDaniel

PFM/abh

cc: Brett H. Bayne, Jr., Esq. (via email brett.bayne@mgclaw.com)

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