

THE STATE COURT OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM HORRY COUNTY
Court of Common Pleas

Larry B. Hyman, Jr., Judge

RECEIVED

MAY 13 2013

SC Court of Appeals

Case No.: 2013-000460

PATRICIA JACKSON.....Appellant,

v.

WAL-MART STORES EAST, L.P. et al.....Appellee

MOTION FOR LEAVE TO WITHDRAW AS COUNSEL

Pursuant to Rule 264(b), SCACR, Randolph Frails requests an Order removing him as counsel for the Appellant. In accordance with the rule, this Motion is being served on the adverse party (through his attorney) and on the Appellee personally.

The grounds for withdrawal are that the Appellant/Client has raised a potential conflict of interest for the attorney, and the attorney has acknowledged the existence of this potential conflict. The attorney is accordingly exercising his option contained in the fee agreement with Appellant to withdraw in order to allow this dispute to be put to rest.

The Appellant has sought and obtained new appellate counsel; more specifically, on information and belief, she has retained John S. Nichols and

Blake Alexander Hewitt of Bluestein, Nichols, Thompson & Delgado, LLC to assist with her appeal.

Attorney Frails accordingly requests that the Court grant this Motion and remove him as counsel of record in this appeal, which will allow Appellant to utilize attorneys whom she is confident will ably represent her. See Rule 264, SCACR (attorney may only withdraw with leave from the court); see also *Ex parte Strom*, 343 S.C. 257, 539 S.E. 2d 699 (2000) (same).

RESPECTFULLY SUBMITTED

This 6 day of May, 2013.



RANDOLPH FRAILS
S.C. Bar No.: 15874

FRAILS & WILSON
211 Pleasant Home Road
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Augusta, GA 30907
Office: 706.855.6715
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PATRICIA JACKSON.....Appellant,

v.

WAL-MART STORES EAST, L.P. et al.....Appellee

CERTIFICATE OF SERVICE

THIS IS TO CERTIFY that I have this day served a copy of the within and foregoing **Motion for Leave to Withdraw as Counsel** upon the following

Rebecca Laffitte, Esq.
Sowell Gray Stepp and Laffitte
Post Office Box 11449
Columbia, SC 29211

Regina H. Lewis, Esq.
Amy L. Gaffney, Esq.
Gaffney Lewis & Edwards, LLC
3710 Landmark Drive, Suite 109
Columbia, South Carolina 29204

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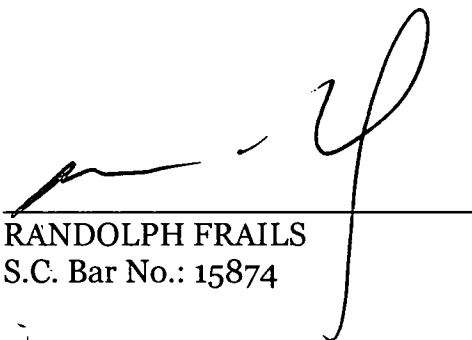
Blake A. Hewit, Esq.
John S. Nichols, Esq.
Bluestein, Nichols, Thompson, & Delgado, LLC
Post Office Box 7965
Columbia, S.C. 29202

Nuru Witherspoon, Esq.
Kelley|Witherspoon, LLP
2614 Main Street
Dallas, TX 75226

Ms. Patricia Jackson
2707 Carolina Wren Drive
Mullins, SC 29574

by depositing the same in the United States Mail, with proper postage affixed thereto to ensure delivery.

This 6 day of May, 2013.



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RANDOLPH FRAILS, ATTORNEY AT LAW
LICENSED IN GEORGIA & SOUTH CAROLINA

May 6, 2013

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

RE: Patricia Jackson v. Wal-Mart Stores East, LP et al.
Appeal No.: 2013-000460

Dear Mrs. Kitchings,

Pursuant to your April 24, 2013 correspondence and to Rule 264(b) of the SCACR, please find enclosed an original and six (6) copies of attorney Randolph Frails's Motion for Leave to Withdraw as Counsel for Appellant Patricia Jackson. Copies of the same have been served upon Appellant as well as opposing counsel. In addition, please find enclosed a check in the amount of \$25.00 to cover filing fees.

I have also enclosed an additional copy of our Motion. Please clock it and return it to our office in the self addressed stamped envelope enclosed herein.

If there is anything else I can provide for you, please do not hesitate to contact me.

Very truly yours,

A handwritten signature in black ink, appearing to read "Randolph Frails".

Randolph Frails

Encl.

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