



# The Road to Justice Starts Here

## Can Pre-Existing Injuries Ruin My Accident Case?



This is one of the questions we hear frequently at our firm, and with good reason: If you have a pre-existing injury and are considering filing a personal injury claim after an accident, there are some key factors that need to be considered.

For instance, you'll need to be able to prove that the injuries you suffered in the car accident were not related to your prior injury. This can be easier to do if your pre-existing injury occurred many years ago and has not required any treatment in some time. However, if it was a more recent injury, you and your attorney will need to develop a strategy to show that there was no connection between the injuries you suffered in the car accident and the pre-existing injury.

No matter what, you need to be up-front and 100 percent honest with us regarding your prior medical history. Insurance companies regularly send out subpoenas designed to locate all available records, including those from older or unrelated treatments.

Here's the other thing—if you don't disclose that you had a pre-existing injury or if you lie about the injury itself or its severity, the insurance company will find out. Guaranteed. Their representatives are very good at what they do, and they'd like nothing more than to catch you in a lie about a pre-existing injury. If that happens, your claim will be minimized or ruined altogether. •



### March 2016 News



# Legal Question of the Month



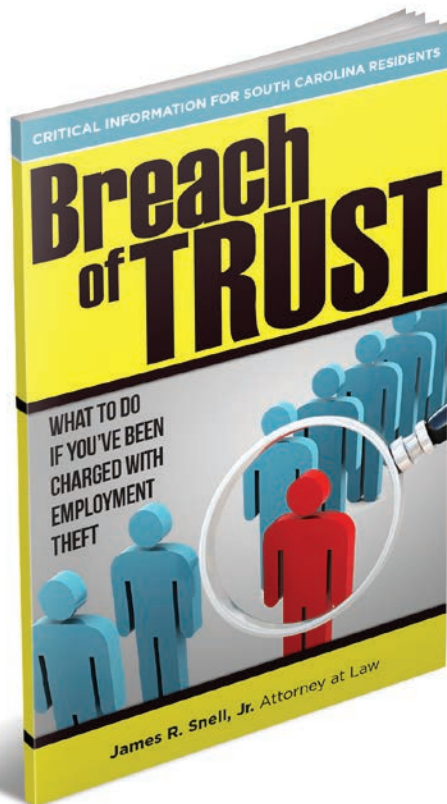
James Snell, Esq.

I am a professional hairdresser. A few months ago I had a customer become very angry after a hair coloring treatment didn't turn out exactly like she had hoped. This woman has now been driving me crazy. She been calling at night (I think she is drunk) leaving really rude messages on the answering machine. She also has dropped by twice while we have customers in the shop and tried to start an argument. What can I do?



Every business gets the occasional unhappy customer. In your case though since the complaints have persisted over a period of months, and include rude messages and argumentative drop-ins, there is the possibility that you are dealing with someone who is potentially dangerous and unstable. I'd recommend that you have a lawyer help you write a letter to her advising that she is no longer welcome to call or come to your shop. If she persists after the letter is sent you should call the police. She then could be arrested for trespassing or unlawful telephone use. You could also consider a Magistrate Court restraining order at that point as well.

*Do you have a legal question that you'd like to see answered here? E-mail it to [jamesnell@snelllaw.com](mailto:jamesnell@snelllaw.com). If your question is used you will receive a \$25 Starbucks gift certificate. This month's question comes from Brenda in West Columbia. •*



## New Legal Guide

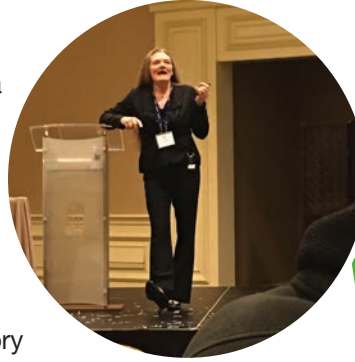
Attorney Jim Snell has written a new report to help those who have been accused of employment theft. This guide is focused on giving people the critical information they need to know when they are facing any breach of trust or embezzlement investigation or theft.

To get your copy of this free report go to [www.freelegalreports.com](http://www.freelegalreports.com) or contact our office at (803) 753-176. •



# Attendance at National DUI Defense Training

Attorney Jim Snell was the only lawyer from South Carolina to attend the National College of DUI Defense's Winter Seminar held this past January in Las Angeles, California. The program include a live demonstration of a police marijuana screening test (conducted on a legally "high" volunteer), as well as a presentation by Janine Arvizu (the defense chemist from Making of a Murderer) on laboratory accreditation and certification requirements.



There has been a significant uptick in the number of marijuana DUI arrests being made by local police. The problem with this is that marijuana doesn't necessarily impair drivers the same way that alcohol or other drugs might. As a result the sobriety tests used by the police are often no better than just guesses. We've seen numerous examples of individuals arrested with absolutely no drugs or alcohol in their system or under other unfair circumstances.

In addition to two full days of the program, Jim and Lee also got to see some of the local sites. Here is a picture of Lee at the Hollywood sign, and a picture of Jim taken at Venice Beach at the "Green Doctor."



**March 2016 Important Dates**

- March 8**  
International Women's Day
- March 13**  
Daylight Saving Time Begins
- March 17**  
St. Patrick's Day
- March 20**  
Palm Sunday, Spring Begins
- March 23**  
Purim (Start)
- March 24**  
Holy Thursday
- March 25**  
Good Friday
- March 27**  
Easter





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## Owner Liability for Injuries Caused by Dogs

Approximately 4.5 million people are bitten by dogs each year (per the CDC), over 800,000 of whom require medical attention. Dogs may be the source of other injuries as well—for instance, a dog may jump up on someone and knock them down, or cause a bike rider to fall off their bike.

South Carolina has what is called a strict liability statute for dog bites. Under this law the owner of a dog (and the insurance company) is responsible for injuries, even if their dog hadn't bitten anyone before. Dog bites can result in serious puncture wounds, significant pain and suffering, and permanent, lifetime scarring.

The attorneys at our office are experienced in representing clients who have been injured as a result of a dog attack. We have resolved cases involving injuries up to and including a fatal assault (where a pack of dogs attacked a woman resulting in her death).

If you have any questions regarding your rights after a dog (or other animal) attack, please contact us for a free consultation. •