



# The Road to Justice Starts Here

## Paying for a Totaled Car



If you ever experience the misfortune of being involved in a car accident, your auto insurance company may determine that your car has been “totaled”—the cost of repairs exceeds a certain threshold of what your car’s fair market value (FMV) was prior to the accident. This point of no return differs from company to company, but a typical benchmark is 80 percent. If your car’s FMV is \$10,000 and your repairs are under \$8,000, the insurance company will pay for repairs. If repairs amount to \$8,000 or more, your car will be deemed totaled and you will be issued a check for the FMV of your car.

Hopefully the check you receive will equal or exceed the amount you may possibly owe to any money-lending institution. However, certain circumstances may result in your check being for less than that amount. In this scenario, guess who’s legally obligated to pay the difference—you are. If you have gap insurance (which covers the “gap” between what you receive and what you owe), problem solved. But that’s a preventive measure, not a post-accident solution.

Most insurance companies are willing to negotiate the amount of compensation you’ll receive for your totaled vehicle. Do your homework to make sure the FMV of your car as stated by the insurance company is accurate.

If another driver is at fault for the accident, you can file a third-party claim with the other driver’s insurance company to make up the difference on what you owe. Ultimately if it is impossible to reach a fair settlement with the other insurance company they can either be taken to court as a lawsuit or a specialized automobile property damage arbitration process. In either event you should not try to file anything with the court if you have an unresolved personal injury claim from the same accident. ●



June 2015 News



# Drive Safely, Grads!

Spring means high school and college graduation for many in our area. For some, celebrating includes drinking alcohol. (Of course the legal drinking age is 21, and violations can mean steep penalties.) But if you or a loved one chooses to drink, we want to make sure you stay safe by following a few tips:

## 1. If you're drinking, designate a 100-percent sober driver.

The best way at avoiding an accident or a run-in with the police is to ensure that your driver is completely sober. Although it is not illegal to drink and drive in South Carolina, it is illegal to drink too much, to the point of impairment. That being said, it's always better to err on the side of caution and safety, so use a designated driver.

## 2. If you're drinking, consider a local driver or taxi service.

Using a local driver or taxi can be an enjoyable and reasonably priced way to ensure that everyone in your party has a safe and carefree night out. Out in the country? Consider using Uber to find transportation to anywhere (even from Pelion to Batesburg!).

**3. If someone you know is drinking, do not let that person get behind the wheel.** Offer to drive them or call a taxi or driver for them.

**4. If you are stopped for suspected DUI you should know your rights.** You do not have to confess drinking to the police. You do not have to cooperate with any field sobriety tests. And you do not have to offer a breath sample. Typically the less you cooperate the less serious your charges will be (request our free DUI report for the details).

Have a safe and happy graduation! ●



## Did You Know?

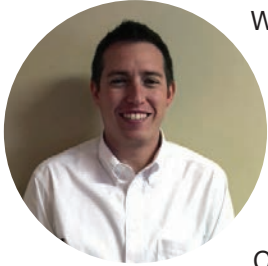
### New Blood Test May Detect Cancer Tumors

Recent studies in the United States and England have raised the exciting possibility that a simple blood test may revolutionize the detection and subsequent monitoring of solid tumor cancers. Up to this point, tumors in the organs of the body have required invasive (and often expensive) biopsies to determine if they are cancerous or not.

In addition to the life-saving value that comes with early detection of all cancers, a blood test for solid tumor cancers would have the potential to greatly reduce medical costs by reducing or eliminating the need for invasive biopsies, could help patients avoid additional surgeries and may enable doctors to better monitor patients' response and resistance to cancer therapies. ●



# Welcome Attorney John Snell



We are excited to announce that Jim's brother, John Snell, has joined us as an associate attorney. John was admitted as a new attorney this spring, and he will be assisting us with both criminal and civil legal matters.

John is a graduate of the University of South Carolina with a B.A. Degree in Criminal Justice. He is also a graduate of the Charleston School of Law. Prior to going to law school he worked in the police and emergency dispatch office for Lexington County. While there he was awarded the "Shining Star" award for his role in the recovery of an Amber Alert child.

John very much believes that all of our clients deserve the absolutely highest level of legal service. He is available to help anyone who wants to discuss their rights after being injured, or who believe that they are under any police investigation. ●

June 2015 - Important Dates

**June 1**  
Atlantic hurricane season begins

**June 14**  
Flag Day

**June 21**  
Father's Day

**June 21**  
Summer begins

## Our Weinermobile Visit!

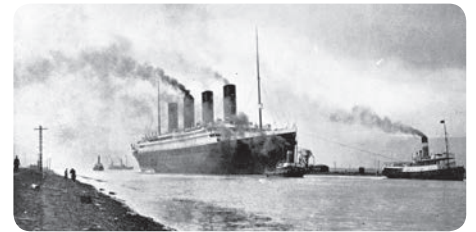
Did you happen to see the Oscar Mayer Official Weinermobile when it made its visit to the area? Our Lexington office was selected as its afternoon stop. Although you wouldn't think Friday afternoon traffic could get any worse, many people stopped their car just to get a picture. Here, take a look:

Included in the picture from left to right is Shannon Williamson, Lee Snell, Jim Snell, and John Snell. ●



## The Legend Lives On

More than 1,500 people lost their lives in 1912 in the sinking of the *RMS Titanic* (including 26 honeymooning couples). It's a story/legend that won't let go, and countless other tidbits of information accompany it.



Speaking of "RMS," it stands for Royal Mail Steamer, which means the ship was certified to carry out postal duties. Hundreds of thousands of letters, packages, postcards, and business documents went down to the depths with the Titanic.

In addition to mail, a lot of "staples" went under as well. The Titanic began its journey with approximately 75,000 pounds of fresh meat on board, 7,500 pounds of ham and bacon, and 25,000 pounds of poultry. As far as alcohol—a key cruise component—over 16,000 bottles of beer (that would make that song really long) and roughly 1,500 bottles of wine were available for first-class passengers to wet their whistles.

Tragedy was linked to the Titanic prior to its maiden voyage. The construction of the ship—a 26-month project undertaken in Belfast, Northern Ireland—resulted in the deaths of two workers and injuries to 246 more.

Milton Hershey of chocolate renown was slated to be on the ill-fated Titanic trip, but was a no-show. Although his company's chocolate bar was first produced in 1900, the course of chocolate history may have been very different had he made the trip.

The last remaining survivor of the voyage, Millvina Dean, died on May 31, 2009, at the age of 97. She was only two months old when the tragedy occurred...thankfully too young to be haunted by memories of it. ●



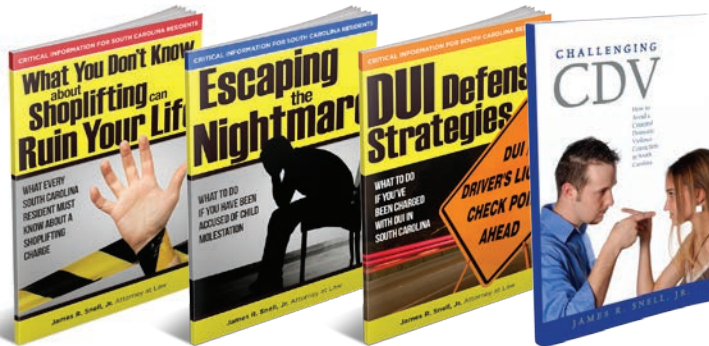
LAW OFFICE OF  
**JAMES R. SNELL, JR.**  
LLC

316 South Lake Drive, Lexington, South Carolina 29072  
(803) 753-1476 • SnellLaw.com • SnellInjuryLaw.com



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## Legal Question of the Month

**About ten years ago I inherited a piece of property with my brother. He won't lift a finger to help, and every year I've been the only one to pay the property tax or to do any maintenance to keep it from becoming completely overgrown. I want to sell it, but he said he won't consent and now won't take my calls. What do I do?**

Your legal recourse is to bring what is called a partition action. This is a lawsuit that is filed for you in Circuit Court. You'll need a lawyer to help. In a partition action you are asking the court to split the property up for joint owners. The court can either do this by having the property surveyed and physically divided (called a partition in kind), or sold and money divided (called a partition by sale). As part of the case you may also be entitled to request reimbursement for the property taxes and court fees. Either way, allow for approximately one year to complete this type of case.

Have your own legal question you'd like to see featured? E-mail it to us at [jamesnell@snelllaw.com](mailto:jamesnell@snelllaw.com).

