

June 12, 2022

THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

RECEIVED

Jun 13 2022

SC Court of Appeals

APPEAL FROM THE SOUTH CAROLINA WORKER'S
COMPENSATION COMMISSION

CASE NO. 2021-000517

Shelia Hutchins, Employee,

APPELLANT,

v.

Security Group, Inc.,

Employer, and Hartford

Accident & Indemnity Co.,

Carrier,

Respondents.

Appellant Response to Motion to Dismiss

Appellant would respectfully show unto the Court that:

1. Appellant sent record of appeal to Tracy Tiddy on May 20, 2022. Appellant numbered the pages and had an index just as the rule said from my understanding. Appellant also called court of appeals twice to help better understand as to what I was supposed to do.
2. Appellant reviewed a lot of paperwork that my former lawyers didn't make aware of many errors in dates and a lot of misinformation in the court paperwork sent in by Tracy Tiddy. Which all can be proven to be errors and misinformation. Sample the first settlement agreement Tracy keeps talking about is mis dated and that can be proven. Appellant isn't sure that the signature on this motion to dismiss is Tracy Tiddy.
3. Tracy Tiddy sent in second motion to strike on April 14, 2022, and she mention that appellant sent her the email between Deborah Hutto, and appellant which she didn't ask for that to be stricken in her motion to strike. Appellant also wants the court to know that I ask Tracy Tiddy for the information on when the Worker's Comp Commission received her settlement agreements. Tracy never responded to me or provided me with this information until she wanted to use the email from Worker's Comp Commission. Which that email is thru the same emails of worker's comp commission that appellant wanted to use with Amy Bracey. Tracy said that email from worker's comp commission was in the worker's comp commission file but the emails from all of us talking with Amy Bracy and emails from appellant isn't in the workers comp commission file. That email wasn't before the lower court. I don't understand how only Tracy Tiddy's emails are in the Commission File, but the same worker's comp commission email that appellant wanted to use is not. The email with Deborah Hutto only had Amy involved because Amy forwards the email question to Deborah Hutto. Which Tracy Tiddy say in her second motion to strike that appellant provided to Tracy. Tracy never mentions for that to be stricken. The full Commission didn't reference the email that Tracy Tiddy is included in record on appeal. The email that appellant is referring about is on Tracy Tiddy's designation of matter to be included in the record numbered 5. Tracy Tiddy also states in her initial brief that the Commission staff attorney Keith Roberts directed Amy Bracy, the Judicial director, to return them {The two settlement agreements} to the defense attorney. So, Tracy Tiddy is trying to say only emails between Amy Bracey and Respondents is in the commission file.
4. Appellant would like to the court to know that appellant didn't get a fair hearing from the start. Tracy Tiddy and Hartford insurance delayed appellant medical for years and that can be proven cause appellant wouldn't settle. Appellant's former lawyers were not for the appellant. Lawyer was not competent and handled appellant case with misconduct. Which can be proven if was given a fair hearing. Tracy Tiddy don't tell the whole story of these cases. Tracy tried to say appellant lawyer is competent, but Tracy didn't know everything that the appellant lawyer said and wrote to appellant. So, therefore Tracy can't say for sure that the appellant lawyer was competent.
5. Appellant did what she understood to be done for Record on Appeal. Appellant is pro se due to appellant's former lawyer being incompetent and handling appellant's cases with misconduct.
6. Appellant is asking the court to NOT dismiss this appeal as Tracy Tiddy didn't ask for that email to

be stricken. Appellant did number the pages right as to the understanding of appellant knowledge.

Wherefore, Appellant respectfully move for an Order from the Courts NOT to dismiss Appellant's appeal. Appellant respectfully move for an order from this court granting time to file Appellant's Final Brief until the court has ruled on Respondent's Motion to Dismiss.

Respectfully submitted,

Shelia F Hutchins



A handwritten signature in black ink, appearing to read "Shelia F Hutchins", is written over a solid horizontal line. The signature is cursive and extends above and below the line.

Shelia Hutchins

1391 Wilcox Ave

Gaffney SC, 29341

864-490-2367

June 12, 2022

PROOF OF SERVICE OF THE APPELLANT'S RETURN ON MOTION TO DISMISS

THE STATE OF SOUTH CAROLINA

In the Court of Appeals

(In the Supreme Court)

Appeal From SC Workers' Compensation Commission

Commissioner Aisha Taylor

Commissioner Susan Barden

Commissioner Gene McCaskill

Case No. 2021-000517

Hartford Accident and Indemnity Co,

&

Respondent,

Security Group, INC.

V.

Shelia F. Hutchins
Appellant,

PROOF OF SERVICE OF THE APPELLANT'S RETURN ON THE MOTION TO DISMISS

I certify that I have served the Appellant's return on the Motion to Dismiss by depositing a copy of it in the United States Mail. postage prepaid, on June 13, 2022, addressed to their attorney of record, Tracy Welsh Tiddy, 325 Rocky Slope Road Suite 201, Greenville, SC 29607. Depositing a copy of it to South Carolina Courts of Appeals, Jenny Abbott Kitchings, Clerk, PO Box 11629 Columbia SC 29211. And Via electronic mail to twtidy@wjcblaw.com.

June 12, 2022

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM THE SOUTH
CAROLINA WORKERS'
COMPENSATION COMMISSION

Case No. 2021-000517

RECEIVED

Jun 13 2022

Shelia Hutchins, Employee,

Appellant,

SC Court of Appeals

v.

Security Group, Inc.,
Employer, and Hartford
Accident and Indemnity Co.,
Carrier,

Respondents.

MOTION TO STRIKE

Respondents would respectfully show unto the Court that:

1. This Court previously issued an order on November 17, 2021, striking Appellant's Brief and portions of her Designation of Matter to be Included in the Record on Appeal in this case.

Attachment 1

2. On January 17, 2022, Appellant served her Amended Initial Brief and Designation of Matter to be Included in the Record on Appeal in this case. Appellant also filed another Amended Initial Brief and Designation of Matter to be Included in the Record on Appeal on February 17, 2022.

3. Included in Appellant's Amended Designation of Matter to be Included in the Record on Appeal were #7- "emails from Tracy Tiddy," #10- "Emails of where I communicated with Amy Bracy at workers comp," and # 11 "Email where I was not given 5 days to respond back to Full Commission after respondent replied to appellate brief."

4. Respondents have requested copies of these emails from Appellant. She has not specified what "emails from Tracy Tiddy" she plans to include, but Respondents are informed and believe that no email correspondence between Appellant and Respondents Counsel was before the South Carolina Workers Compensation Commission (hereinafter "Commission").

5. At Respondents' request, Appellant did provide email correspondence between Appellant and Deborah Hutto, Commissioner Avery Wilkerson's administrative assistant, and another email chain between Appellant and Amy Bracy, the judicial director of the Commission.

6. Respondents have requested and received a complete copy of Commission's files (which number 1,058 pages) and represent to this Court that none of the above-referenced documents are part of the Commission's files and were not before the single commissioner or the appellate panel of the Commission when they rendered their decision.

7. A review of the transcript of the oral argument before the appellate panel on January 25, 2021, (Attachment 1) and the Order of the appellate panel of the Full Commission, filed April 14, 2021, (Attachment 2) reveal none of the above-referenced documents were submitted into the record during the proceeding before the Commission.

8. Rule 210(c) of the South Carolina Appellate Court Rules provides that a record shall not include a matter which was not presented to the lower court or tribunal. Rule 207 (c), SCACR.

WHEREFORE, Appellants move for an Order from the Court striking #7- "emails from Tracy Tiddy," #10- "Emails of where I communicated with Amy Bracy at workers comp," and #11 "Email where I was not given 5 days to respond back to Full Commission after respondent replied to appellate brief" from the Matter to be Included in the Record on Appeal.

Respectfully submitted,

WILLSON JONES/CARTER & BAXLEY, P.A.



Tracy Welsh Tiddy
S.C. Bar No. 9581
325 Rocky Slope Road, Suite 201
Greenville, South Carolina 29607
(864) 527-3271
Attorney for Respondents

February 21, 2022