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Jul 06 2022

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM THE SOUTH CAROLINA WORKERS' COMPENSATION COMMISSION

Appellate Case No. 2021-000303
WCC File No. 1704918

Raqual Cunningham, Employee.....Appellant,

v.

BMW Manufacturing Corp., Employer and
Hartford Accident & Indemnity Company, Carrier Respondents,

**RESPONDENTS' RETURN TO APPELLANT'S FOURTH MOTION
FOR EXTENSION OF TIME**

On June 30, 2022, Appellant, Raqual Cunningham, filed a handwritten request for an extension of time in which to file her Record on Appeal. Respondents, BMW Manufacturing Corporation, LLC and Hartford Accident & Indemnity Company, by and through the undersigned attorney, hereby file a Return to Appellant's Request for a Fourth Extension of Time to file the Record on Appeal.

First, Appellant's Motion for an extension of time to file the Record on Appeal is not in compliance with Rules 240 and 267 of the Appellate Court Rules. *Rules 247 and 267, SCACR.* Thus, because the Motion is improper, the requested relief for a fourth extension should be denied.

Second, on or about March 22, 2021, Appellant filed her appeal with the Court.

Thereafter, Appellant filed motions requesting extensions of time in which to file the Record on Appeal and Brief on the following dates:

July 21, 2021;
November 18, 2021;
December 17, 2021; and
June 27, 2022.

It should be noted that by Order dated May 19, 2022, the Court promulgated an Order directing Appellant to file a corrected Record on Appeal within forty (40) days of the date of that Order. Prior to the Court's issuance of the May 19, 2022 Order, the undersigned had contacted Appellant by letter dated May 2, 2022, offering assistance with respect to preparing the Record on Appeal (Exhibit 1). Appellant did not respond.

After the issuance of the Court's Order on May 19, 2022, the undersigned sent copies of all documents to be included in the Record on Appeal by Priority Mail on May 23, 2022 (Exhibit 2).

Because the documents to be included in the Record on Appeal were sent to Appellant before the required ten (10) days as set forth in the Court's May 19, 2022 Order, Appellant had additional time in which to correct and file the Record on Appeal.

Based upon the foregoing reasons, Respondents object to Appellant's request for additional time in which to file the Record on Appeal and Final Brief.

Respectfully submitted,

A handwritten signature in black ink that reads "Vernon F. Dunbar". The signature is written in a cursive style with a horizontal line at the end.

Vernon F. Dunbar
McAngus Goudelock & Courie, LLC
55 East Camperdown Way
Suite 300
Greenville, South Carolina 29601
864-239-6735
vernon.dunbar@mgclaw.com
Attorney for Respondents

July 7, 2022

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SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM SOUTH CAROLINA
Workers' Compensation Commission

Appellate Case No. 2021-000303
WCC File No. 1704918

Raqucal Cunningham..... Appellant,

v.

BMW Manufacturing Corporation, Employer and
Hartford Accident & Indemnity Company, Carrier Respondents,

PROOF OF SERVICE

I hereby certify that I have this 7th day of July 2022, caused to be served Respondents' Return to Appellant's Fourth Motion for Extension of Time, to Appellant Raqucal Cunningham, by mailing a copy of same, postage prepaid, in the United States mail, with sufficient postage affixed as follows:

Raqucal Cunningham
114 Vermillian Drive
Spartanburg, South Carolina 29306

The Honorable Jenny Abbott Kitchings
South Carolina Court of Appeals
Post Office Box 11629
Columbia, South Carolina 29211



Vernon F. Dunbar
McAngus, Goudelock & Courie LLC
Post Office Box 2980
55 East Camperdown Way, Suite 300 (29601)
Greenville, South Carolina 29602
(864) 239-4000
Attorneys for Respondents

Reply To

VERNON F. DUNBAR
Direct Dial: (864) 239-6735
vernon.dunbar@mgclaw.com

May 2, 2022

Raqual Cunningham
114 Vermillion Drive
Spartanburg South Carolina 29306

RE: Raqual Cunningham v. BMW Manufacturing and Hartford Accident & Indemnity Company c/o Sedgwick Claims Management Inc.
Date of Accident: May 2, 2017
WCC File No.: 1704918
Our File No.: 20194.21241
Claim No.: 30177811453-0001

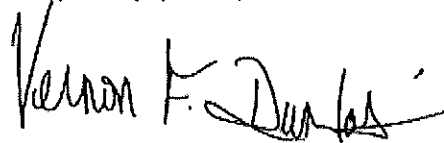
Dear Ms. Cunningham:

Because I have not yet received a revised /amended Record on Appeal, I am writing in response to your reply to the Motion filed for you to correct the Record on Appeal and to include all requested information.

Specifically, the information that needs to be included in the Record on Appeal is found on pages 2 and 3 of the Decision and Order of Commissioner R. Michael Campbell, II dated April 23, 2020. Under the Heading "APA SUBMISSIONS," you are to include in the Record on Appeal all (199 pages) documents, photos and materials referenced in Commissioner Campbell's Order. Please also include the Facebook photo and the photographs listed as Exhibits A, B and C.

Those records were served upon your former attorney, Charles P. Edwards, and should have been provided to you when you retrieved your file materials. If you have any other questions or need any further assistance, please do not hesitate to contact me.

Very truly yours,



Vernon F. Dunbar

VFD/ss0

cc: Donell Smith, BMW Manufacturing Corporation (via email)
Emily Gregg, Sedgwick Claims Management Inc. (via facsimile)

McANGUS GOUDELICK & COURIE LLC



55 EAST CAMPERDOWN WAY
SUITE 300 (29601)
POST OFFICE BOX 2980
GREENVILLE, SC 29602

864.239.4000 PHONE
864.242.3199 FAX
WWW.MGCLAW.COM

Ship Request Form

Ship Request #: 187992



Sender

Name: Rebecca Brissey
 Account #:
 Phone: 864-239-4014
 Email: rebecca.brissey@mgolaw.com
 Mail Stop:
 Building
 Floor:
 Department:

Recipient

Attn To: Raquael Cunningham
 Company: Raquael Cunningham
 Address: 114 VERMILLIAN DR
 City: SPARTANBURG
 State: SC
 Zip: 29306-6214
 Country: US

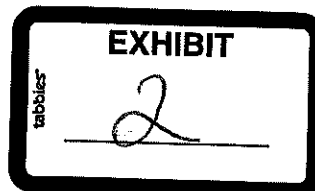
Shipping Instructions

20194.21241
Priority

94055098 986429518105 44

Items

Units	Description	Code	Origin	Unit Value	Total Value
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Reply To
VERNON F. DUNBAR
Direct Dial: (864) 239-6735
vernon.dunbar@mgclaw.com

July 7, 2022

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Jul 06 2022

SC Court of Appeals

VIA EMAIL

V. Claire Allen, Deputy Clerk
South Carolina Court of Appeals
P.O. Box 11629
Columbia, SC 29211

RE: Raquacal Cunningham v. BMW Manufacturing and Hartford Accident
& Indemnity Company c/o Sedgwick Claims Management Inc.
Date of Accident: May 2, 2017
WCC File No.: 1704918
Appellate Case No. 2021-000303
Our File No.: 20194.21241

Dear Ms. Allen:

Please find attached herewith Respondents', BMW Manufacturing Corporation, LLC and Hartford Accident & Indemnity Company, Return to Appellant's Fourth Motion for Extension of Time to file the Record on Appeal and Brief.

Additionally, I am serving a copy of the Return and Exhibits upon Appellant, Raquacal Cunningham.

With kind regards, I am

Very truly yours,



Vernon F. Dunbar

VFD/tls
Enclosures

cc: Raquacal Cunningham, *Pro Se/Unrepresented Appellant*