

CLAWSON & STAUBES, LLC
ATTORNEYS AT LAW

MARGARET M. URBANIC
purbanic@clawsonandstaubes.com

October 11, 2012

In Reply Please Reference
Our File No.: 2005-389mmu

The Honorable Daniel E. Shearouse
Clerk, Supreme Court of South Carolina
P.O. Box 11330
Columbia, SC 29211

RECEIVED

OCT 16 2012

S.C. Supreme Court

Re: Franklin Hutson v. S.C. State Ports Authority
Supreme Court Tracking Number: 2010-178226
Opinion No. 27171

Dear Mr. Shearouse:

Please find enclosed the original the original and seven (7) copies of the Respondents' Motion to Reinstate Petition for Rehearing and original and one (1) copy of the certificate of service. As the Respondents are state agencies no filing fee is required pursuant to Rule 203.

Thank you for filing the original and returning a clocked-in copy to me in the envelope provided.

Please let me know if you have any questions or concerns.

Respectfully yours,

CLAWSON & STAUBES, LLC



Margaret M. Urbanic

MMU/res
enclosures
cc: Thomas M. White, Esquire

Charleston Office:
126 Seven Farms Dr., Suite 200
Charleston, SC 29492-8144
(o) 843.577.2026
(f) 843.722.2867

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Charlotte, NC 28217-3535
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THE STATE OF SOUTH CAROLINA
In The Supreme Court

APPEAL FROM CHARLESTON COUNTY
Court of Common Pleas

Deadra L. Jefferson, Circuit Court Judge

Opinion No. 27171 (Filed September 19, 2012)

Franklin Hutson
Claimant
Appellant,

v.

South Carolina State Ports Authority,
Employer

State Accident Fund
Carrier, Respondents.

RECEIVED
OCT 16 2012
S.C. Supreme Court

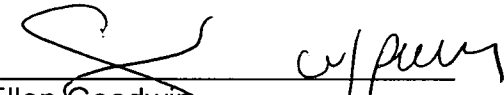
MOTION TO REINSTATE PETITION FOR REHEARING

The Respondents move before the court to reinstate the petition for rehearing. The decision was published on September 19, 2012 and a copy of the decision was received by the undersigned from the Supreme Court on September 21, 2012 via US Mail. We relied on the US Postal Service to timely deliver the mail within 1-2 days at most. Counsel for the Appellant received the petition for rehearing on October 4, 2012, within the appropriate time period and has not been prejudiced (Affidavit of Counsel). Therefore, for all of the foregoing reasons, the Court should accept the Respondents' Petition for Rehearing.

Respectfully submitted,



Margaret M. Urbanic
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Ellen Goodwin
State Accident Fund
Post Office Box 102100
Columbia, SC 29221-5000

Attorney for Respondents

Charleston, South Carolina
October 11, 2012

BEFORE THE
SOUTH CAROLINA WORKERS' COMPENSATION COMMISSION
WCC FILE NO.: 0418244

Franklin W. Hutson, Jr., Employee,

Claimant,

vs.

AFFIDAVIT

SC State Ports Authority, Employer, and

State Accident Fund, Carrier,

Defendants.

PERSONALLY APPEARED BEFORE ME, Thomas M. White, who, upon being duly

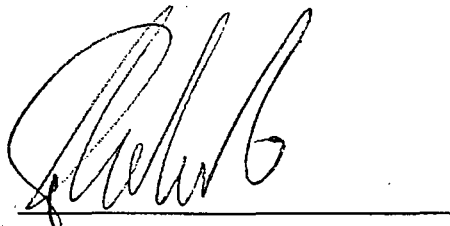
sworn, deposes and says:

1. I am the attorney of record and was the attorney representing Franklin Hutson in an appeal that was heard before the South Carolina Supreme Court on April 4, 2012.
2. I received the Decision of the Supreme Court on September 21, 2012. This was received by regular mail.
3. On October 4, 2012, I received by regular mail a copy of Margaret M. Urbanic's

letter to Mr. Shearouse enclosing the original and seven copies of Respondent's Petition for Rehearing and original copy of the Certificate of Service.

4. On October 9, 2012, I received the Remittitur from Daniel E. Shearouse, Clerk

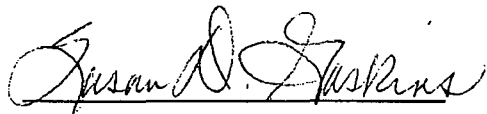
of the Supreme Court of South Carolina.

A handwritten signature in cursive script, appearing to read 'T. White', written over a horizontal line.

Thomas M. White

SWORN to before me this

02 day of October, 2012.

A handwritten signature in cursive script, appearing to read 'Susan D. Sparks', written over a horizontal line.

Notary Public for South Carolina

My Commission Expires: 11-14-16

THE STATE OF SOUTH CAROLINA
In The Supreme Court

APPEAL FROM CHARLESTON COUNTY
Court of Common Pleas

Deadra L. Jefferson, Circuit Court Judge

Opinion No. 27171 (Filed September 19, 2012)

Franklin Hutson
Claimant

Appellant,

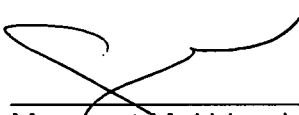
v.

South Carolina State Ports Authority,
Employer

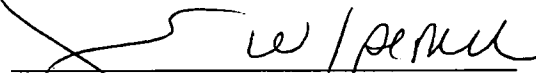
State Accident Fund
Carrier,

Respondents.

I certify that I have served the Respondents' Motion to Reinstate Petition for Rehearing on Petitioner by depositing a copy of it in the United States Mail, postage prepaid, on October 12, 2012, addressed to the attorney of record Thomas M. White, Esquire, The Steinberg Law Firm LLP, P.O. Box 1028, Goose Creek, South Carolina 29445 as well as the Clerk of Court for the S.C. Supreme Court Daniel E. Shearouse, P.O. Box 11629, Columbia, SC 29211.



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Ellen Goodwin
State Accident Fund
Post Office Box 102100
Columbia, SC 29221-5000

Attorney for Respondents

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LC**

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NLS/rjh

The Honorable Daniel E. Shearouse
Clerk, Supreme Court of South Carolina
P.O. Box 11330
Columbia, SC 29211



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