

THE STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

APPEAL FROM SPARTANBURG COUNTY  
Court of Common Pleas

Clifton B. Newman, Circuit Court Judge

Appellate Case Number 2013-000634

RECEIVED  
JUN 07 2013  
SC Court of Appeals

South Carolina Second Injury Fund.....Appellant,

v.

Spartanburg Regional Healthcare System and  
PHTS Risk Management Services ..... Respondents.

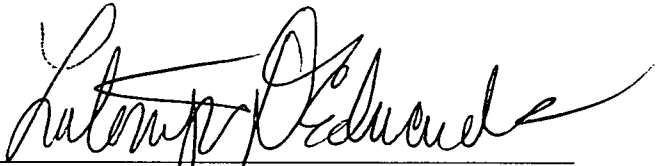
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**APPELLANT’S RETURN TO RESPONDENTS’  
MOTION FOR A LIMITED REMAND**

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The Appellant, South Carolina Second Injury Fund, by and through their undersigned counsel, hereby moves the Court to dismiss Respondents’ Request for a Limited Remand in Circuit Court. Rule 58 of the South Carolina Rules of Civil Procedure (SCRCP) reads in part, “[when a judgment rendered by the appellate court is remitted to the trial court the clerk shall adjust the costs and disbursements in the appellate court to which any party may be entitled upon due notice . . . .” This case was reversed by the Circuit Court in favor of Respondents. If Respondents receive a favorable judgment at the appellate level, the appellate court has the

power and jurisdiction to grant the relief sought pursuant to Rule 58(b) without resort to a motion in the Circuit Court.

By: 

Latonya Dilligard Edwards, Esquire  
Dilligard Edwards, LLC  
3790 Fernandina Road, Suite 103  
Columbia, South Carolina 29210  
S.C. Bar #: 14593  
(803) 750-2214 (phone)  
(803) 750-2377 (fax)

ATTORNEY FOR APPELLANT

June 7, 2013

Columbia, South Carolina

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Case No.: 2013-00634

South Carolina Second Injury Fund,..... Appellant,

v.

Spartanburg Regional Healthcare System, Employer and  
PHTS Risk Management Services, Carrier..... Respondents.

In re:  
Sarah Jones,..... Employee/Claimant,

v.

Spartanburg Regional Healthcare System,.....Employer.

**PROOF OF SERVICE**

The undersigned employee of Dilligard Edwards, LLC, Attorney for the Appellant, does hereby certify that service of the **Appellant's Return to Respondents' Motion for a Limited Remand** to the South Carolina Court of Appeals in the above-captioned matter was made upon counsel of record for Respondents Spartanburg Regional Healthcare System, Employer and PHTS Risk Management Services, Carrier, the South Carolina Workers' Compensation Commission and the Office of the Clerk of Court for Spartanburg County by placing same in the

United States Mail, first class postage prepaid, at the below listed address clearly indicated on said envelope on this 7<sup>th</sup> day of June, 2013, addressed as follows:

Jared M. Pretulak, Esquire  
Gallivan, White & Boyd, P.A.  
Post Office Box 10589  
Greenville, South Carolina 29603

The Honorable Virginia Crocker, Judicial Director  
South Carolina Workers' Compensation Commission  
Post Office Box 1715  
Columbia, South Carolina 29202-1715

The Honorable Hope Blackley  
Spartanburg County Clerk of Court  
Post Office Box 3483  
Spartanburg, South Carolina 29304



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Dilligard Edwards, LLC  
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