

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

68760

APPEAL FROM THE SOUTH CAROLINA WORKERS' COMPENSATION
COMMISSION
The Honorable Avery B. Wilkerson, Commissioner

W.C.C. 1112328

Samuel A. Rose, Employee,.....Respondent,

v.

JJS Trucking, LLC, Employer, and the South Carolina
Uninsured Employers' Fund,.....Respondents.

and

Chris Thompson Services, LLC, Statutory Employer, and
Bridgefield Casualty Insurance Company, Carrier,.....Appellants..

NOTICE OF APPEAL

RECEIVED

JUN 17 2013

SC Court of Appeals

Chris Thompson Services, LLC, and Bridgefield Casualty Insurance Company
appeal the Decision and Order of the South Carolina Workers' Compensation
Commission dated May 15, 2013. The Appellants received written notice of the order on
May 17, 2013. The grounds of the appeal and alleged errors of law are as follows:

1. The Commission erred in finding that Chris Thompson Services, LLC is liable to
pay Claimant all benefits to which he is entitled under the Act, as this "finding" is

arbitrary, capricious, impermissibly vague, and unsupported by substantial evidence in the record or the applicable law.

2. The Commission erred in finding that the Claimant sustained an injury to his head, knee, leg, back, and neck, as this finding is arbitrary, capricious, impermissibly vague, and otherwise unsupported by substantial evidence in the record or the applicable law.
3. The Commission erred in “finding” that the Claimant is entitled to temporary total disability benefits from August 10, 2011 and continuing until, as this finding is arbitrary, capricious, impermissibly vague, and otherwise unsupported by substantial evidence in the record or the applicable law.
4. The Commission erred in “finding” that the Claimant is entitled to an evaluation to determine the extent of his injuries, as this finding is arbitrary, capricious, impermissibly vague, and otherwise unsupported by substantial evidence in the record or the applicable law.
5. The Commission erred in “finding” that the Claimant is entitled to ongoing medical treatment, as this finding is arbitrary, capricious, impermissibly vague, and otherwise unsupported by substantial evidence in the record or the applicable law.
6. The Commission erred as a matter of law in concluding that the Claimant has not received all benefits due under the Act, as this “conclusion” is arbitrary,

capricious, and otherwise unsupported by substantial evidence in the record or the applicable law.

7. The Commission erred as a matter of law in concluding that the issue of transfer of responsibility to the UEF is not ripe for adjudication at this time, as this conclusion is arbitrary, capricious, and otherwise unsupported by substantial evidence in the record or the applicable law.

Respectfully submitted,

June 13, 2012



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Other Counsel of Record:

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Attorney for the Respondent, Samuel A. Rose

Mr. Sedrick Smalls, *pro se*
JJS Trucking, LLC
765 McDaniel Town Road
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The Cofield Law Firm
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Attorney for the S.C. Uninsured Employers Fund

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The Honorable Avery B. Wilkerson, Commissioner

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Chris Thompson Services, LLC, Statutory Employer, and
Bridgefield Casualty Insurance Company, Carrier,.....Appellants..

PROOF OF SERVICE

The undersigned hereby certified that the Notice of Appeal was served on Samuel A. Rose and the South Carolina Uninsured Employers Fund by depositing a copy of it in the United States Mail, first class postage prepaid, on June 13, 2013, addressed to their attorneys of record as follows:

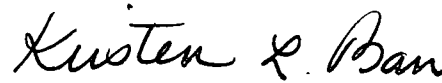
Joseph B. Fisher, Esq.
PO Box 63506
North Charleston, SC 29419

Amy V. Cofield, Esq.
The Cofield Law Firm
809 South Lake Drive
Lexington, SC 29072

The undersigned also served JJS Trucking, LLC by depositing a copy of the Notice of Appeal in the United States Mail, first class postage prepaid on June 13, 2013, addressed as follows:

Mr. Sedrick Smalls
JJS Trucking, LLC
765 McDaniel Town Road
Ridgeville, SC 29472

June 13, 2012



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June 13, 2013

Ms. Virginia Crocker
Judicial Director
S. C. Workers' Compensation Commission
P. O. Box 1715
Columbia, SC 29202-1715

Re: Samuel A. Rose v. JJS Trucking, LLC/SCUEF and Chris Thompson Services,
LLC/Bridgefield Casualty Insurance Company
W.C.C. File No.: 1112328
Carrier File No.: 943450
Date of Accident: August 10, 2011

Dear Ms. Crocker:

Enclosed, please find a copy of our Notice of Appeal to the South Carolina Court of Appeals in the above-referenced matter. If you should have any questions, please do not hesitate to contact me.

Yours very truly,

Kirsten L. Barr

KLB/lrb/les
Enc.

cc: Kiema Lewis, Summit Holdings
Chris Thompson, Chris Thompson, LLC
Joseph B. Fisher, Esq.
Amy V. Cofield, Esq.
Sedrick Smalls, JJS Trucking, LLC
The Honorable Jenny Abbott Kitchings, Clerk, S.C. Court of Appeals
118/133\l-Court of Appeals-WCC Notice



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June 13, 2013

The Honorable Jenny Abbott Kitchings
Clerk, South Carolina Court of Appeals
P. O. Box 11629
Columbia, SC 29211

Re: Samuel A. Rose v. JJS Trucking, LLC/SCUEF and Chris Thompson Services,
LLC/Bridgefield Casualty Insurance Company
W.C.C. File No.: 1112328
Carrier File No.: 943450
Date of Accident: August 10, 2011

Dear Ms. Kitchings:

Enclosed for filing, please find a Notice of Appeal in the above-referenced case. Also enclosed are the following:

1. Proof of Service of the Notice of Appeal on the Respondent
2. A copy of the Order that is being challenged on appeal
3. Filing fee in the amount of \$100

Thank you for your time and attention to this matter. Should you have any questions or concerns, please do not hesitate to contact me.

Yours very truly,

Kirsten L. Barr

KLB/alr/les

Enc.

cc: Ms. Kiema Lewis, Summit Holdings (w/enc.)
Mr. Chris Thompson, Chris Thompson, LLC (w/enc.)
Joseph B. Fisher, Esq. (w/enc.)
Amy V. Cofield, Esq. (w/enc.)
Mr. Sedrick Smalls, JJS Trucking, LLC (w/enc.)
The Honorable Virginia Crocker, SCWCC (w/enc.)

118/133\I-Court of Appeals-Notice

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