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SC Court of Appeals

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Subject: Alicia Ruffin v. SCWCC--April 7, 2023(Proof of Service)
Date: Friday, June 16, 2023 1:06:48 PM
Attachments: [Ruffin v. SCWCC- April 7, 2023 Proof of Service.pdf](#)
[\(Ruffin v. Builders -OR\) 6 -15-2023.pdf](#)

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Dear Court of Appeals,

Enclosed is the copy Proof of Service for Case No.: 2023-00512. The Court of Appeals logged it into the system on April 10, 2023. But the postmark date is April 8, 2023; which is well within the State's Statutory limits of being served. In order, for all to have Equal Access to Justice. I am requesting for the Court of Appeals to Reconsider their position to Dismiss this case. Enclosed is the stamped copy of the Proof of Service to all attorneys involved.

According to *Gray v. Club Group. Ltd.*, 339 S.C. 173,182, 528 S.E.2d 435, 440 (Ct. App 2000), An appellate court or Court of Appeals has the power upon review to reverse or modify a decision of an administrative agency if the findings and conclusions of the agency are (1) affected by an error of law, (2) clearly erroneous in view of the reliable and substantial evidence on the whole record, or (3) arbitrary or capricious or characterized by abuse of discretion or a clearly unwarranted exercise of discretion.

According to *Nicholson v. S.C. Dep't of Soc. Servs.*, 411 S.C. 381, 389,769 S.E. 2d 1, 5(2015) (citing *Wigfall v. Tideland Utils, Inc.*, 100, 115, 580 S.E. 2d 100, 107 (2003) It is "this Court recently emphasized the goal, stating, "The Workers Compensation Act was designed to supplant tort law by providing a no-fault system focusing on quick recovery, relatively ascertainable awards, and limited litigation." Everything thus far has been just the opposite; there has been more resources dispensed to evade responsibilities for the injuries that Builders Firstsource and Liberty Mutual doctors have caused than the injuries themselves. Builders Firstsource and Liberty Mutual accepted the claim. And in the nearly 5 years of this claim, the Appellant has never litigated her injuries and this is due to the prior knowledge, severity, and extent of those injuries. The Appellant has been obstructed from being able to have this information placed on record.

The Respondents never made a Motion for Dismissal within the 60-90 window after the February 2023, SCWCC Final Decision Order, thus meaning the Respondents have waived their rights to claim that position and the Court of Appeals in an effort of not showing impartiality; the Court of Appeal should not and would not take a personal jurisdiction to attempt to make the motion for the Respondents. The Court of Appeal's defense should be waived, since the Respondents did not file an objection to the Appellant's Appeal for Failure to Proof of Service; it would be unethical for the Court of Appeals to have personal jurisdiction on the this case. The Respondents had the burden of proof to prove the 4 Elements of Res Judicata and failed to do so. Meanwhile, the Appellant health has gotten progressively worse. The Appellant is just asking for relief by means of the associated Economic & Non-economic compensations for the 5 Occupational Diseases caused by Builders Firstsource and the Liberty Mutual physicians. (CRPS, Algoneurodystrophy, Cervical Myelopathy, PTSD, and Major Depressive Disorder.) Thank-you for all attention and considerations given to this email.

Respectfully I Submit this Request,

Alicia Ruffin

P.S. South Carolina Revenue and Fiscal Affairs Office for report December 2022; with the inflation factor, the limit against a single health care provider and a health care institution for each claimant for civil liability for noneconomic

damages on medical malpractice claims when final judgement is rendered increases to \$545,869 per physician. Also, the limit against all health care providers and all health care institutions for each claimant for civil liability for noneconomic damages on medical malpractice increases to \$1,637,608 per medical institution. The adjusted limitations on compensation for noneconomic damages become effective upon publication in the State Register pursuant to § 1-23-40(2). The above compensation does not include the cost of the initial injury and the compensation each Occupational Disease x 5.