

# The South Carolina Court of Appeals

Frank Wilson, Appellant,

v.

American LaFrance, Employer, and AIG C/O Gallagher  
Bassett Services, Inc., Carrier, Respondents.

Appellate Case No. 2013-000354

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## ORDER

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Appellant has filed a motion to reinstate his appeal, attaching proof that he timely served the Workers' Compensation Commission. Respondents filed motion to dismiss, noting that because Appellant's injury occurred prior to July 1, 2007, Appellant should have filed this appeal with the court of common pleas. We agree that this appeal should have been filed with the court of common pleas. *See Pee Dee Regional Transp. v. S.C. Second Injury Fund*, 375 S.C. 60, 62, 650 S.E.2d 464, 465 (2007). Accordingly, we rescind our order of dismissal and transfer this this appeal to the circuit court. *See* Rule 204(a), SCACR ("In the event the notice of appeal is filed in the wrong appellate court, the appellate court in which the matter is filed shall issue an order transferring the case to the appropriate appellate court."); *In re November 4, 2008 Bluffton Town Council Election*, 385 S.C. 632, 641, 686 S.E.2d 683, 688 (2009) (invoking Rule 204(a) and transferring the case to the circuit court because it was the proper appellate forum).

Columbia, South Carolina

cc:

Frank Wilson  
Erin Leigh Hantske

  
FOR THE COURT

**FILED**

Sf July 5, 2013