

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

69931

APPEAL FROM SOUTH CAROLINA WORKERS'
COMPENSATION COMMISSION

WCC Number: 1003122

Zeena Fletcher, Employee.....Respondent,

Dick's Sporting Goods, Employer,

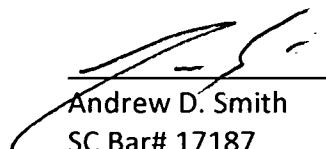
and

Federal Insurance Co., Carrier.....Appellants.

NOTICE OF APPEAL

Pursuant to S.C. Code Ann. § 42-17-60, Dick's Sporting Goods, and Federal Insurance Co., appeals the Order of the Appellate Panel of the S.C. Workers' Compensation Commission, Filed on September 19, 2013. Appellant received written notice of the entry of the original Order on September 19, 2013.

September 24, 2013



Andrew D. Smith
SC Bar# 17187
Andrew D. Smith, LLC
147 Wappoo Creek Dr. STE 104
Charleston, SC 29412
(843) 737-4619

RECEIVED
SEP 30 2013
SC Court of Appeals

Other Counsel of Record:

Kathryn Williams, Esquire
Kathryn Williams, P.A.
619 N. Main St., P.O Box 10693
Greenville, SC 29603

Zeena Fletcher vs. Dick's Sporting Goods
WCC File No.: 1003122

As S.C. Code Ann. § 42-17-60 provides that the "[n]otice of appeal must state the grounds of the appeal or the alleged errors of law," the following is provided as an attachment to the Notice of Appeal:

1. The Commission erred in allowing a Claimant to withdraw their Form 50, Change of Condition for the worse, then by Order toll the statute of limitations as set forth in S.C. Code Ann. §42-17-90, which allows the Claimant to file for review outside the (12) twelve month period as set forth in the statute.
2. The Commission erred in failing to find, in accordance with S.C. code Ann. §42-17-90, that the" review [request for a hearing] must not be made after (12) months from the date of the last payment of compensation pursuant to an award provided by this title."
3. The Commission erred in affirming a Decision and Order that allowed the Single Commissioner to extend the time limits as set forth by S.C. Code Ann. §42-17-90.
4. The Commission erred in finding that even though the Claimant withdrew her Form 50, at the hearing, that her claim was not barred by S.C. Code Ann. §42-17-90.

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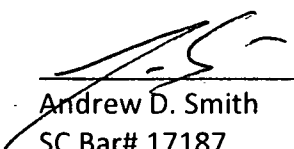
and

Federal Insurance Co., Carrier.....Appellants.

PROOF OF SERVICE

I certify that I have served the Notice of Appeal on the Respondent by depositing a copy of the document in the United States mail, first class postage prepaid, on September 24, 2013, to Zenna Fletcher's counsel of record Kathryn Williams, Esquire, 619 N. Main St. P. O. Box 10693, Greenville, SC 29603, (864) 235-6254.

September 24, 2013



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SC Court of Appeals

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September 24, 2013

The Honorable Tanya Gee
South Carolina Court of Appeals
1015 Sumter Street
P.O. Box 11629
Columbia, SC 29211

Re: Zeena Fietcher v. Dick's Sporting Goods
WCC 1003122
Carrier: Federal Insurance Co., - Claim No.: 003619-001324-WC01
Our File No.: 7000-01

Dear Ms. Gee:

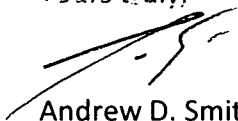
Enclosed for filing is a Notice of Appeal in the above-referenced matter. Also, I have enclosed the following:

- (1) Proof of Service on the Notice of Appeal on the Respondents.
- (2) A copy of the Order that is to be challenged on appeal.
- (3) A filing fee of \$100.00

Should you have any questions, please feel free to contact me.

With kindest regards,

Yours truly,



Andrew D. Smith

ADS/LMK
Enclosures

Ms. Virginia Crocker, Judicial Director, SC Workers' Compensation Commission
Ms. Kathryn Williams, Esquire

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The Honorable Tanya Gee
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