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S.C. SUPREME COURT

THE STATE OF SOUTH CAROLINA
In The Supreme Court

APPEAL FROM SOUTH CAROLINA
WORKERS' COMPENSATION COMMISSION

T. Scott Beck, Commissioner and Chairman for the Panel
R. Michel Campbell, Commissioner
Gene McCaskill, Commissioner

Appellate Case No.: 2022-000581
Case No.: W.C.C. File No.: 1611416

Jon A. Hinson, Employee,

Respondent

v.

BS Telecommunications, Employer, and Old Republic Insurance Co.,
Carrier, Defendants, of which BS Telecommunications is the

Appellant.

MOTION TO SUPPLEMENT RECORD ON APPEAL

April 14, 2025

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Attorney for Respondent Jon A. Hinson

COMES NOW RESPONDENT, Jon A. Hinson, by and through his undersigned attorney, and moves this Court for an Order to Supplement the Record on Appeal in accordance with S.C. Appellant Court Rule 212. This Motion is based on the following:

As part of this appeal, the Court is being asked to interpret the effect of the 2007 amendment of S.C. Code Ann. §42-9-390. In particular, whether an approved, filed Clincher still remains an Order after the amendment of the Statute. S.C. Code Regs. 67-801 and 67-803 specifically relate to the interpretation and enforcement of S.C. Code Ann. §42-9-390 and each is referenced in both Appellant's and Respondent's Briefs.

Respondent seeks to supplement the Record on Appeal with the versions of S.C. Code Regs. 67-801 and 67-803 which were in effect immediately prior to amendment of the Statute, and the revised versions of these Regulations enacted after amendment of the Statute. These "before and after" Regulations show the Workers' Compensation Commission's and Legislature's intent.

Respondent also seeks to supplement the Record on Appeal with 33 U.S. Code §908(i) which is the Federal Longshore and Harbor Workers' Compensation provision that mirrors S.C. Code Ann. §42-9-390 and S.C. Code Regs. 67-801 and 67-803.

Copies of the requested supplemental documents which total five (5) pages, are attached hereto for the Court's reference as Exhibit A. In accordance with SCAC Rule 212(b), Respondent sought the consent of Appellant prior to filing this Motion. Appellant did not consent per the email attached as Exhibit B.

Finally, if the Court is not inclined to grant Respondent's Motion, Respondent alternatively request the Court take judicial notice of the attached historical versions of S.C. Code Regs. 67-801 and 67-803; and current 33 U.S. Code §908(i).

Respectfully submitted,

s/ Alton L. Martin, Jr
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