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Jun 02 2025

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM THE
SOUTH CAROLINA WORKER'S COMPENSATION COMMISSION

R. Michael Campbell, II, Commissioner
Cynthia C. Dooley, Commissioner
Aisha Taylor, Commissioner

SCWCC File No. 1925782

Bilma Sanchez-Martinez,
Claimant

Appellant,

v.

Techtronic Industries North
America., Employer, and Ace
American Ins. Co., Carrier

Respondent.

NOTICE OF APPEAL

Bilma C. Sanchez-Martinez appeals the Order of the Full Commission dated May 2, 2025.
Appellant received written notice of entry of judgment on May 2, 2025.

[SIGNATURE ON FOLLOWING PAGE]



Stephen N. Garcia
Garcia Law, LLC
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Dial: (864) 271-7335
Fax: (864) 271-7338
Attorney for Appellant

Other Counsel of Record:
Amanda A. Mellard
Robinson Gray
2151 Pickens Street. Suite 500
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Attorney for Respondent

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Bilma C. Sanchez-Martinez Appellant,

v.

Techtronic Industries North America Respondent.

PROOF OF SERVICE

I certify that I have served the Notice of Appeal on Techtronic Industries North America by depositing a copy of it in the United States Mail, postage prepaid, on June 2 ,2025, addressed to their attorney of record, Amanda A. Mellard, 2151 Pickens Street Suite 500, Columbia, SC 29201 as well as by email to Amanda A. Mellard.

June 2, 2025



Stephen N. Garcia
Garcia Law, LLC
604 Pettigru Street
Greenville, SC 29601
Dial: (864) 271-7335
Fax: (864) 271-7338
Attorney for Appellant

June 2, 2025

Via email and U.S. Mail

The Honorable Jenny Abbott Kitchings
Clerk for the South Carolina Court of Appeals
Post Office Box 11629
Columbia, SC 29211
ctappfilings@sccourts.org

Re: Bilma C. Sanchez-Martinez v. Techtronic Industries North America
WCC File No.: 1925782

Dear Ms. Kitchings:

Enclosed for filing is a copy of the Notice of Appeal in the above case. Also enclosed are the following:

1. Proof of Service of the Notice of Appeal on the respondent;
2. A copy of the judgment and order which are to be challenged on appeal; and
3. A filing fee of \$250.00.

Please note that while Appellant contends that Order being appealed may or may not be final. Appellant filed a Motion for Reconsideration with the Full Commission on May 7, 2025 pursuant to SCRCF Rule 59 and S.C. Code of Reg. 67-215. Reg. 67-215B instructs:

The single Commissioner or Full Commission may entertain motions to reconsider an order, opinion, or award **if the purpose of the motion is not an attempt to reargue the merits of the dispute...** If a motion for reconsideration is properly filed consistent with the provisions of this subsection, the order, opinion, or award under reconsideration is not considered final until the motion for reconsideration has been disposed of by the single Commissioner or Full Commission.

While the Appellant maintains that the Motion for Reconsideration was not filed in an attempt to reargue the merits of the dispute, the Appellant has no way of knowing whether the Full Commission will find that the Appellant *has* attempted to reargue the merits of the dispute thereby causing the Appellants time for filing *this* appeal to expire. Likewise, if the Full Commission hears the Motion for Reconsideration *without* finding that the Appellant has attempted to argue the merits of the dispute, then this very appeal would be premature. The Appellant contends that the only way to deal with this uncertainty is to file this Appeal that may or may not be premature depending on how the Full Commission rules on the pending Motion for Reconsideration.

I would greatly appreciate if you would file the notice. Please feel free to contact my office with any questions or concerns.

Sincerely,
GARCIA LAW LLC

A handwritten signature in black ink, consisting of a stylized 'S' followed by a 'G' and a horizontal line extending to the right.

Stephen N. Garcia
Attorney for Bilma C. Sanchez-Martinez, Appellant

SNG/jrm
Encls.

CC: Amanda A. Mellard, Attorney for Respondents (w/ encl)