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Sep 10 2025

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM THE SOUTH CAROLINA WORKERS' COMPENSATION COMMISSION
WCC File No. 2207041

Appellate Case No. 2025-001248

Walter Hoover, Claimant, Appellant

v.

Tractor Supply Company, Employer, and Starr Specialty Insurance Company, Carrier,
Defendants, of which Starr Specialty Insurance Company is the Respondent.

RESPONDENT'S MOTION TO DISMISS

COMES NOW Respondent, Starr Specialty Insurance Company, by and through its undersigned counsel, hereby requests that the above-captioned action be dismissed. This Motion is made pursuant to Rules 240 and 260 of the *South Carolina Appellate Court Rules*. This Motion is supported by the pleadings in this case and by any memorandum of law, supporting arguments and/or other exhibits that may be filed hereafter.

RESPECTFULLY SUBMITTED,



Claudia J. Piechota
Holder Padgett Littlejohn + Prickett, LLC
945 Houston Northcutt Blvd.

North Charleston, SC 29464
Office: (843) 310-0485
Fax: (843) 589-9000
cpiechota@hplplaw.com
Attorney for the Respondents
SC Bar No. 104228

September 10, 2025

Walter Hoover
6194 Dogwalla Road
Whitmire, SC 29178
Tel: (803) 394-3047
Pro se Appellant

STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

NOTICE OF APPEAL

Appellant: Walter R. Hoover, Jr.

Address: 6194 Dogwalla Road

Whitmire, SC 29178

Phone: 803-394-3047

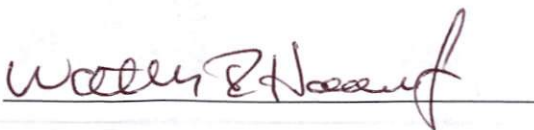
Email: whooverjr@gmail.com

Respondents: Tractor Supply Company and Attorney Claudia Piechota, Holder, Padgett, Littlejohn and Prickett, LLC

YOU WILL PLEASE TAKE NOTICE that the above-named Appellant hereby appeals to the South Carolina Court of Appeals from the Decision and Order of the South Carolina Workers' Compensation Commission, issued on June 12, 2025, which constitutes a final decision of the Full Commission.

This appeal is taken pursuant to S.C. Code Ann. § 1-23-380 and Rule 203(b)(6) of the South Carolina Appellate Court Rules.

Respectfully submitted this 20th day of June, 2025.



Walter R. Hoover, Jr.

Pro Se Appellant

RECEIVED
JUN 20 2025
SC Court of Appeals

6194 Dogwalla Road

Whitmire, SC 29178

803-394-3047

whooverjr@gmail.com



The South Carolina Court of Appeals

JENNY ABBOTT KITCHINGS
CLERK

CATHERINE S. HARRISON
CHIEF DEPUTY CLERK

POST OFFICE BOX 11629
COLUMBIA, SOUTH CAROLINA 29211
1220 SENATE STREET
COLUMBIA, SOUTH CAROLINA 29201
TELEPHONE: (803) 734-1890
FAX: (803) 734-1839
www.sccourts.org

June 24, 2025

Walter R. Hoover
6194 Dogwalla Road
Whitmire SC 29178

Re: Walter R. Hoover, Jr. v. Tractor Supply Company
Appellate Case No. 2025-001248

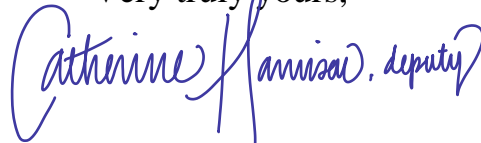
Dear Mr. Hoover:

Upon reviewing your notice of appeal, the following deficiencies have been noted under the South Carolina Appellate Court Rules (SCACR), and any deficiency must be corrected within ten (10) days of the date of this letter or this matter will be dismissed:

- The notice of appeal is not in the proper format. You must file an amended notice of appeal that identifies all of the current appellant(s) and respondent(s) in the caption, and does not contain any argument. Your notice of appeal must be substantially in the format shown by Form 1 in Appendix C to Part II of the SCACR.
- The notice of appeal is not accompanied by the order(s) and/or judgment(s) challenged on appeal.
- The required filing fee has not been submitted. **The correct filing fee is \$250.00.**
- A proof of service has not been provided. You must serve and file a proof of service substantially in the format shown by Form 7 in Appendix C to part II of the SCACR. Specifically, you must include the names and contact information for all attorneys of record, the names of the respondent(s) represented by each, and provide a proof of service showing that a copy has

been served on the attorneys for the respondent(s) and the Worker's Compensation Commission as required by Rule 203(b)(6), SCACR.

Very truly yours,

A handwritten signature in blue ink that reads "Catherine Hannisa, deputy". The signature is written in a cursive style with a large initial "C".

CLERK

FORM 1
NOTICE OF APPEAL IN A CIVIL CASE
THE STATE OF SOUTH CAROLINA
In The Court of Appeals

105149
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JUL 02 2025
SC Court of Appeals

APPEAL FROM THE SOUTH CAROLINA WORKERS' COMPENSATION COMMISSION

Commissioners: The Honorable Aisha Taylor, The Honorable Cynthia C. Dooley, The Honorable Gene McCaskill

Case No. 2025-001248

Walter R. Hoover Jr.,

Appellant,

v.

Tractor Supply Company, Employer

and Star Specialty Insurance

Company, Carrier,

Respondents.

NOTICE OF APPEAL

Walter R. Hoover Jr. appeals the Decision and Order of the South Carolina Workers' Compensation Commission dated June 12, 2025. Appellant received his paper copy of the Decision and Order on June 30, 2025.

July 2, 2025

s/ Walter R. Hoover Jr.
Walter R. Hoover Jr.
6194 Dogwalla Rd
Whitmire, SC 29178
(Pro Se)

Other Counsel of Record:
Claudia Piechota
Holder, Padgett, Littlejohn and Prickett, LLC
945 Houston Northcutt Blvd.
Mt. Pleasant, SC 29464
Attorney for Respondents

FORM 7

PROOF OF SERVICE OF A NOTICE OF APPEAL

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THE STATE OF SOUTH CAROLINA

JUL 02 2025

In The Court of Appeals

SC Court of Appeals

APPEAL FROM THE SOUTH CAROLINA WORKERS' COMPENSATION COMMISSION

COMMISSIONER PANEL: The Honorable Aisha Taylor, The Honorable Cynthia C. Dooley, The Honorable Gene McCaskill.

Case No. 2025-001248

Walter R. Hoover Jr.,

Appellant,

v.

Tractor Supply Company,

Employer and Starr Speciality

Insurance Company, Carrier,

Respondents.

PROOF OF SERVICE

I certify that I have served the Notice of Appeal on Tractor Supply Company and Star Specialities Insurance Company by depositing a copy of it in the United States Mail, postage prepaid, on July 2, 2025, addressed to their attorney of record, Claudia Piechota, Holder, Padgett, Littlejohn and Prickett, LLC, 945 Houston Northcutt Blvd., Mt. Pleasant, South Carolina 29464.

I further certify that a copy of the Notice of Appeal has been delivered to the South Carolina Workers' Compensation Commission at 1333 Main Street, Suite 500, Columbia, South Carolina 29201 on July 2, 2025.

July 2, 2025

s/ Walter R. Hoover Jr.

Walter R. Hoover Jr.

6194 Dogwalla Rd

Whitmire, SC 29178

(Pro Se)



The South Carolina Court of Appeals

JENNY ABBOTT KITCHINGS
CLERK

CATHERINE S. HARRISON
CHIEF DEPUTY CLERK

POST OFFICE BOX 11629
COLUMBIA, SOUTH CAROLINA 29211
1220 SENATE STREET
COLUMBIA, SOUTH CAROLINA 29201
TELEPHONE: (803) 734-1890
FAX: (803) 734-1839
www.sccourts.org

July 02, 2025

Walter R. Hoover, Jr.
6194 Dogwalla Road
Whitmire SC 29178

Re: Walter R. Hoover, Jr. v. Tractor Supply Company
Appellate Case No. 2025-001248

Dear Mr. Hoover Jr.:

Upon reviewing your attempt to correct the deficiencies outlined in this Court's letter dated June 24, 2025, the following deficiency has been noted under the South Carolina Appellate Court Rules (SCACR), and any deficiency must be corrected within ten (10) days of the date of this letter or this matter will be dismissed. This is the Court's second request for this correction:

- The notice of appeal is not accompanied by the order(s) and/or judgment(s) challenged on appeal.

Very truly yours,


CLERK

cc: Claudia Julia Piechota, Esquire



The South Carolina Court of Appeals

JENNY ABBOTT KITCHINGS
CLERK

CATHERINE S. HARRISON
CHIEF DEPUTY CLERK

POST OFFICE BOX 11629
COLUMBIA, SOUTH CAROLINA 29211
1220 SENATE STREET
COLUMBIA, SOUTH CAROLINA 29201
TELEPHONE: (803) 734-1890
FAX: (803) 734-1839
www.sccourts.org

July 03, 2025

Walter R. Hoover, Jr.
6194 Dogwalla Road
Whitmire SC 29178

Re: Walter R. Hoover, Jr. v. Tractor Supply Company
Appellate Case No. 2025-001248

Dear Mr. Hoover Jr.:

Our records reflect that the time for ordering the transcript has expired. Within ten days of the date of this letter, you must file a copy of the letter showing that you have timely ordered the transcript from the court reporter. If you have not timely ordered the transcript, you must serve and file a motion requesting permission to order the transcript outside of the filing deadlines set by Rule 207 of the SCACR, along with a copy of your letter addressed to the court reporter.

Be sure to copy the Court, the Office of Court Administration and opposing counsel with all correspondence concerning the transcript. The address for Court Administration is as follows:

South Carolina Office of Court Administration
1220 Senate Street, Suite 200
Columbia, SC 29201

You must advise the Court of the status of the transcript within ten (10) days of the date of this letter, or your appeal will be dismissed.

Very truly yours,

CLERK

cc: Claudia Julia Piechota, Esquire

RECEIVED

Jul 03 2025

SC Court of Appeals

From: [Walter Hoover, Jr](#)
To: [Court Of Appeals Filings](#)
Cc: [Claudia Piechota](#)
Subject: Re: Walter R. Hoover, Jr. v. Tractor Supply Company- 2025-001248
Date: Thursday, July 3, 2025 3:32:11 PM

***** EXTERNAL EMAIL:** This email originated from outside the organization. Please exercise caution before clicking any links or opening attachments. ***

Please find the request for the transcript attached to this email.

Thank you.



Walter Hoover... 3:03 PM



to contact ^

From Walter Hoover, Jr • whooverjr@gmail.com

To contact@creelreporting.com

Date Jul 3, 2025, 3:03 PM

[View security details](#)

Hi. We spoke on the phone regarding the transcript for the Full Commission Hearing below.

Date of hearing: April 14, 2025

Case Caption: Walter R. Hoover, Jr., Claimant v. Tractor Supply Company, Employer and Starr Speciality Company, Carrier, Defendants

Commisioner Panel: The Honorable Aisha Taylor, The Honorable Cynthia C. Dooley and Thr Honorable Gene McCaskill

Please email or call with any additional questions.

Thank you,
Walter R. Hoover, Jr.
Phone: 803 394.3047

On Thu, Jul 3, 2025, 2:25 PM Evans-Pryor, Khee'Asia <kpryor@sccourts.org> wrote:

Dear Counsel and Mr. Hoover Jr.,

Attached please find correspondence from the Court of Appeals.

Please do not respond to this email. Send all correspondence to ctappfilings@sccourts.org.
Any parties not included in this email will receive the attached correspondence via US Mail.

Respectfully,

Khee'Asia Evans-Pryor

Appeals Specialist

South Carolina Court of Appeals

[1220 Senate Street, Columbia, SC 29201](https://www.sccourts.org)

E-filing: ctappfilings@sccourts.org

Phone: **803-734-1890**

Website: www.sccourts.org

~~~ CONFIDENTIALITY NOTICE ~~~ This message is intended only for the addressee and may contain information that is confidential. If you are not the intended recipient, do not read, copy, retain, or disseminate this message or any attachment. If you have received this message in error, please contact the sender immediately and delete all copies of the message and any attachments.

**Swann, Rebecca**

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**From:** Evans-Pryor, Khee'Asia  
**Sent:** Tuesday, July 29, 2025 12:12 PM  
**To:** Court Of Appeals Filings  
**Subject:** FW: Invoice 25-0947 from Creel Court Reporting, Inc.

**RECEIVED**  
**Jul 29 2025**  
**SC Court of Appeals**

---

**From:** Walter Hoover,Jr <whooverjr@gmail.com>  
**Sent:** Tuesday, July 29, 2025 10:48 AM  
**To:** Evans-Pryor, Khee'Asia <kpryor@sccourts.org>  
**Cc:** Claudia Piechota <cpiechota@hplplaw.com>  
**Subject:** Fwd: Invoice 25-0947 from Creel Court Reporting, Inc.

**\*\*\* EXTERNAL EMAIL:** This email originated from outside the organization. Please exercise caution before clicking any links or opening attachments. \*\*\*

**Walter R. Hoover, Jr. v. Tractor Supply Company- 2025-001248**

Dear Clerk of the South Carolina Court of Appeals,

I am writing to confirm that I received notice from Creel Reporting regarding the sealed transcript for my South Carolina Workers' Compensation appeal. The transcript was delivered via USPS on Monday, July 22, 2025.

As instructed, I am forwarding the confirmation email from Creel Reporting to the Court of Appeals. I also certify that I have served a copy of that forwarded email (as notice) on the Respondents: Tractor Supply Company (Employer) and Starr Specialty Insurance Company (Carrier), via their attorney, Claudia Piechota, at Holder, Padgett, Littlejohn & Prickett, LLC. Service was completed via Certified Mail on July 29, 2025.

Sincerely,  
Walter R. Hoover, Jr  
803.394.3047  
[whooverjr@gmail.com](mailto:whooverjr@gmail.com)



FORM 7

PROOF OF SERVICE OF N

THE STATE OF SOUTH CA

In The Court of Appeals

APPEAL FROM NEWBERR

South Carolina Workers' Com

Case No. 2025-001248

----- Forwarded message -----

From: **Creel Court Reporting Inc** <[contact@creelreporting.com](mailto:contact@creelreporting.com)>

Date: Fri, Jul 18, 2025, 8:27 AM

Subject: Invoice 25-0947 from Creel Court Reporting, Inc.

To: [whooverjr@gmail.com](mailto:whooverjr@gmail.com) <[whooverjr@gmail.com](mailto:whooverjr@gmail.com)>

Dear Customer:

Your transcript and invoice are attached and the invoice is marked as paid. We are mailing the original transcript to you at the address provided [6194 Dogwalla Rd. Newberry, SC 29178](#) today July 18, 2025. If you have any questions, please feel free to call the office.  
Thank you for your business - we appreciate it very much.

Sincerely,

Creel Court Reporting, Inc.  
(803) 252-3445

RECEIVED

Aug 18 2025

SC Court of Appeals

**From:** [Walter Hoover, Jr](#)  
**To:** [Court Of Appeals Filings](#)  
**Cc:** [Claudia Piechota](#)  
**Subject:** Extension Request - 2025-001248  
**Date:** Monday, August 18, 2025 2:34:17 PM

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\*\*\* **EXTERNAL EMAIL:** This email originated from outside the organization. Please exercise caution before clicking any links or opening attachments. \*\*\*

Good afternoon,

I would like to request an extension on the due date for my PHB for the Court of Appeals. The due date was originally set for August 21, 2025.

SC WCC failed to promptly respond to my request for my full file and caused a delay in getting my records.

This delay was discovered on Friday, when I called Eugenia Hollman at SC WCC to follow up on my records request, which was initially requested on August 8, 2025.

Please advise.

Thank you.

**FORM 13  
BRIEF OF APPELLANT\***

**THE STATE OF SOUTH CAROLINA**

In the Court of Appeals

**RECEIVED**

AUG 21 2025

SC Court of Appeals

**APPEAL FROM THE SOUTH CAROLINA WORKERS' COMPENSATION COMMISSION**

Appellate Case No. 2025-001248

Tractor Supply Company, Employer, and  
Starr Specialty Insurance Company, Carrier,

Respondents,

v.

Walter R. Hoover, Jr.,

Appellant.

**[INITIAL] BRIEF OF APPELLANT**

Walter R. Hoover, Jr.  
6194 Dogwalla Road  
Whitmire, South Carolina 29178  
(803) 394-3047  
whooverjr@gmail.com

Appellant, Pro Se

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## **I. Statement of Issues on Appeal**

1. Whether the Commission erred by failing to rule on Appellant's properly filed Form 50.
2. Whether the Commission erred under § 42-15-60 by disregarding medical necessity and effectively ratifying the Carrier's termination of physical therapy for insurance authorization issues despite Drayer Physical Therapy's documented plan of care.
3. Whether the Commission erred under § 42-17-60 by relying on Dr. Edward Tavel's IME opinions—including an MMI projection—issued despite his admission that a new lumbar MRI was not available for review, and despite Appellant's continuous, authorized care culminating in Dr. Boyd's IME and active treatment plan.

## II. Statement of the Case

Appellant suffered a compensable lumbar spine injury on May 25, 2022. The Commission denied ongoing benefits and credited a late-raised overpayment claim. The order rests on three core errors:

1. Failure to rule on Form 50 – On May 16, 2023, Appellant filed a Form 50 seeking determination of benefits and issues related to his compensable injury. The Commission's order omitted any ruling on this filing.
2. Medically necessary PT denied – On August 29, 2022, Drayer Physical Therapy evaluated Appellant, documented chronic lumbar pain, noted rehabilitation potential as good, and prescribed a six-week plan of care. The Carrier authorized only one session and terminated physical therapy the same day, citing insurance authorization issues. Despite this, the Commission ratified the denial.
3. IME without imaging and pivoted diagnosis – On February 14, 2023, Dr. Edward Tavel performed an IME and projected maximum medical improvement (MMI) within 3–6 months, despite acknowledging that an updated lumbar MRI was not available for review. He nonetheless recommended steroid injections (contraindicated by prior reactions) and pivoted his diagnosis to suggest compliance issues, even though Appellant remained under continuous, authorized care, culminating in Dr. Boyd's November 13, 2023 IME and active referral.

Appellant seeks vacatur of the Commission's order, or, alternatively, remand for proceedings consistent with proper application of the law.

### **III. Standard of Review**

Commission findings must be supported by substantial evidence. S.C. Code Ann. § 42-17-60; Tiller v. Natl. Health Care Ctr., 334 S.C. 333, 513 S.E.2d 843 (1999).

## **IV. Argument**

### **A. Failure to Rule on Form 50**

On May 16, 2023, Appellant filed a Form 50 seeking determination of benefits and issues related to his compensable injury. The Commission's order did not address this filing, despite its direct bearing on the matters raised. Failure to rule on a properly filed Form 50 constitutes legal error, depriving the Appellant of a ruling on issues squarely before the Commission. Under § 42-17-60, this omission requires remand for proper adjudication.

### **B. Medically Necessary PT Denied for Authorization Reasons (Drayer Physical Therapy)**

On August 29, 2022, Drayer Physical Therapy evaluated Appellant, documented chronic lumbar pain, noted rehabilitation potential as good, and prescribed a six-week PT plan. The Carrier authorized only one visit. That same day, Appellant's course of PT was terminated, citing insurance authorization issues. Prognosis was recorded as poor. The Commission disregarded this contemporaneous evidence and upheld the Carrier's administrative denial as though further treatment were unwarranted. Later referrals cannot cure the error, as they were made without review of the updated lumbar MRI. Ratifying this denial violates § 42-15-60.

### **C. IME Without Foundation, Pivoted Diagnosis, and Continuous Care (Tavel/Boyd)**

On February 14, 2023, pain specialist Dr. Edward Tavel performed an IME. He acknowledged Appellant's documented adverse reaction to corticosteroids, yet nonetheless recommended renewed steroid injections and projected MMI within 3–6 months. In the same note, Dr. Tavel wrote: "Since he has seen Dr. Gunter he has had a new lumbar MRI, but we do not have the report available for review today." Although he referenced Dr. Samuel Davis's June 22, 2022 MRI, he did not review the most recent imaging before rendering his conclusions. Thus, the IME suffers from three foundational defects: (1) it recommended treatment specifically contraindicated by Appellant's medical history, as documented by Dr. Gundu in 2022; (2) it issued an MMI projection without review of the updated diagnostic MRI that Dr. Tavel acknowledged was missing; and (3) it pivoted his diagnosis and suggested compliance issues despite Appellant's continuous, authorized care—culminating in Dr. Boyd's IME and active treatment plan on November 13, 2023.

## V. Conclusion

The Commission's order misapplies controlling law and is unsupported by substantial evidence. It relied on an IME without review of updated imaging; credited treatment plans contraindicated by adverse reactions; ratified termination of medically necessary physical therapy for insurance authorization reasons; and failed to rule on Appellant's properly filed Form 50. Appellant respectfully requests that this Court vacate the order or remand for proceedings consistent with law.

Respectfully submitted,

/s/ Walter R. Hoover, Jr.



8-21-25

Walter R. Hoover, Jr.  
6194 Dogwalla Road  
Whitmire, SC 29178  
803.394.3047  
whooverjr@gmail.com  
Appellant, Pro Se

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

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APPEAL FROM THE SOUTH CAROLINA WORKERS' COMPENSATION COMMISSION  
WCC File No. 2207041

---

Appellate Case No. 2025-001248

---

Walter Hoover, Claimant, Appellant

v.

Tractor Supply Company, Employer, and Starr Specialty Insurance Company, Carrier,  
Defendants, of which Starr Specialty Insurance Company is the Respondent.

---

**MEMORANDUM IN SUPPORT OF RESPONDENTS' MOTION TO DISMISS**

---

Claudia J. Piechota  
Holder Padgett Littlejohn + Prickett, LLC  
945 Houston Northcutt Blvd.  
Mount Pleasant, SC 29464  
Office: (843) 310-0485  
Fax: (843) 589-9000  
cpiechota@hplplaw.com  
Attorney for the Respondents  
SC Bar No. 104228

September 10, 2025

Walter Hoover  
6194 Dogwalla Road  
Whitmire, SC 29178  
Tel: (803) 394-3047  
*Pro se* Appellant

Respondents, Tractor Supply Company and Starr Specialty Insurance Company, by and through its undersigned counsel, respectfully submit this Memorandum of Law in support of Respondent's Motion to Dismiss pursuant to Rules 240 and 260 of the *South Carolina Appellate Court Rules*. This Court should dismiss all claims made by Appellant.

### **FACTUAL AND PROCEDURAL SUMMARY**

By way of background, on November 28, 2023, this matter was heard in front of the Single Commissioner. The Decision and Order issued on February 14, 2025, ordered that (1) Appellant sustained a compensable injury to his back arising out of and in the course and scope of his employment with Employer, Tractor Supply Company, on May 25, 2022; (2) Appellant was non-compliant with medical treatment from February 14, 2023, to November 13, 2023, when he attended appointments authorized and scheduled by Respondents and purposefully acted belligerently; (3) Respondents were entitled to terminate all benefits as of January 4, 2024; (4) Appellant was not entitled to benefits under the Act due to constructive abandonment of the claim through medical non-compliance, and the claim was dismissed without prejudice; (5) Appellant's average weekly wage is \$542.73 and compensation rate is \$361.84; and (6) Respondents were entitled to a credit of \$30,107.06 for overpayment due to the incorrect compensation rate and credit for overpayment of TTD benefits during the period of Appellant's medical non-compliance, which was February 14, 2023, to November 13, 2023.

Appellant timely filed an appeal of the Single Commissioner's Order. However, Appellant failed to timely file and serve his appellant brief by the April 18, 2024, deadline. As requested by Respondents, the Judicial Department removed the case from the review hearing docket on May 2, 2024, by issue of an administrative order dismissing the appeal pursuant to South Carolina Code Regulation 67-705(H)(3). On May 6, 2024, Appellant filed and served Appellant's Motion to

Reinstate his claim. The Motion was granted and on April 14, 2024, this matter was heard in front of the Full Commission. The Full Commission's Decision and Order, issued on June 12, 2025, fully affirmed the Single Commissioner's decision.

On June 20, 2025, Appellant attempted to file a Notice of Appeal pursuant to S.C. Code Ann. § 1-23-380 and Rule 203(b) of the South Carolina Appellate Court Rules. (Exh. A). He was notified of deficiencies with his Notice of Appeal by the South Carolina Court of Appeals on June 24, 2025. (Exh. B). Those deficiencies included that (1) the notice of appeal was not in proper format *and* did not contain any argument; (2) the notice of appeal was not accompanied by the order challenged on appeal; (3) there was no filing fee of \$250.00 submitted; and (4) proof of service must be provided.

Thereafter, on July 2, 2025, Appellant attempted to correct his deficiencies by refileing his notice of appeal with different formatting and a Form 7 proof of service only. (Exh. C) No argument was included as requested. He was again informed that same day via letter from the South Carolina Court of Appeals to correct continued deficiencies in the notice of appeal within ten (10) days, namely, to include the order challenged on appeal. (Exh. D). On July 3, 2025, Appellant forwarded the Appellate Panel Decision and Order.

Also on July 3, 2025, Appellant was informed of a *different* deficiency with his appeal, namely that the time for ordering the transcript had already expired. (Exh. E). Per SCACR 207, Appellant was *required* to make a written request to obtain a transcript of the proceeding within 10 days of the date of service of the notice of appeal. Here, that meant Appellant needed to make a written request by June 30, 2025. The Court of Appeals very clearly instructed in writing that if he had *not* timely ordered the transcript, he “**must** serve and file a motion requesting permission to order the transcript outside of the filing deadlines set by Rule 207. Along with a copy of [his]

letter addressed to the court reporter.” (Exh. E). On July 3, 2025, Appellant notified Respondents and the Court of Appeals that the transcript had been ordered via email. (Exh. F).

On July 29, 2025, Appellant filed “Proof of Service of Notice of Receipt of Transcript” indicating the transcript was received on July 22, 2025. (Exh. G).

On August 18, 2025, Appellant improperly submitted a Motion for Extension of his initial appellate brief, stating it the deadline was August 21, 2025. (Exh. H). Appellant submitted his initial appellate brief on August 21, 2025. (Exh. I). Based on the arguments set forth below and Appellant’s blatant disregard for the South Carolina legal system, Appellant’s appeal should be dismissed.

## ARGUMENT

### ***I. Appellant’s appeal should be dismissed as he failed to comply with the statutory requirements of filing an appeal.***

Pursuant to S.C. Code § 42-17-60, either party may appeal the decision of the full commission to the court of appeals, the notice of appeal “must state the grounds of the appeal or the alleged errors of law.” Further, an appellant *must* state with enough specificity to direct the court to the alleged errors. *White v. Medical Univ.*, 355 S.C. 560, 586 S.E.2d 157 (Ct. App. 2003). In that case, the appellant filed a notice of appeal stating, “the Full Commission erred in finding as a fact and concluding as a matter of law that the Claimant was not entitled to benefits under the South Carolina Workers’ Compensation Act.” *Id.* The court ultimately determined that was sufficient to satisfy the notice requirement of § 42-17-60, as both the court and the respondent could determine appellant believed the commission erred in finding he was not entitled to benefits. *Id.*

In the present case, Appellant’s notice of appeal merely states, “Appellant hereby appeals to the South Carolina Court of Appeals from the Decision and Order of the South Carolina

Workers' Compensation Commission, issued on June 12, 2025, which constitutes a final decision of the Full Commission.” (Exh. A). Unlike in *White*, there is no indication as to what specific errors are being appealed. Appellant does not state the grounds of the appeal nor any alleged errors of law, it is too vague to put Respondents on sufficient notice pursuant to S.C. Code Ann. § 42-17-60. Further, Appellant was notified in writing by the South Carolina Court of Appeals on June 24, 2025, to amend his notice of appeal specifically to include an argument. He refused to do so in blatant disregard of their instructions.

Therefore, Appellant's appeal should be dismissed for failure to comply with the basic statutory requirements of filing an appeal and failure to comply with Court instructions.

***II. Appellant's appeal should be dismissed as he failed to file a motion requesting permission to order the transcript outside of the filing deadlines.***

As stated, on July 3, 2025, Appellant was informed of a *different* deficiency with his appeal, namely that the time for ordering the transcript had already expired. The Court of Appeals very clearly instructed in writing that if he had *not* timely ordered the transcript, he “**must** serve and file a motion requesting permission to order the transcript outside of the filing deadlines set by Rule 207. Along with a copy of [his] letter addressed to the court reporter.” (Exh. E).

South Carolina Appellate Court Rule 240(c) requires “all motions or petitions filed in an appellate court shall be in writing, shall state the grounds thereof, and shall comply with the requirements of Rule 267.” South Carolina Appellate Court Rule 267 states any document filed with the appellate court is required to be headed by a caption containing the proper court, the tribunal from which the party is appealing, title of the case, and the moving party's information. Further, all motions filed with the court must include: (1) a certificate of service reflecting the date of service upon all parties, (2) a memorandum in support of the motion with proper citation of

authorities, and (3) affidavits and other supporting documents for their position. Rule 240(c), SCACR. Further, under South Carolina Appellate Court Rule 240(d), all motions are required to be properly served upon all parties and filed with the clerk of the appellate court with a filing fee of \$50. Filing fees are exempt in limited circumstances and only waived in extraordinary cases. Id. Failure to comply with the South Carolina Appellate Court Rules is deemed an abandonment of the motion. Rule 240(g), SCACR.

Appellant, in blatant disregard of the specific instructions of the Court, instead notified Respondents and the Court of Appeals via email that the transcript had been ordered on July 3, 2025. (Exh. F). This email fails to satisfy the requirements of a motion under South Carolina Appellate Court Rules. The email contained no caption, no certificate of service, and no documentation supporting his request for ordering the transcript outside of the filing deadlines set by Rule 207. Moreover, Appellant did not include the required filing fee and has made no claim for extraordinary circumstance for waiver of this fee.

Pursuant to South Carolina Appellate Court Rule 260(a), “whenever it appears that an appellant or a petitioner has failed to comply with the requirement of these Rules, the clerk **shall** issue an order of dismissal, which shall have the same force and effect as an order of the appellate court.” Respondents note the purposeful use of “shall” by the legislature, indicating there is no discretion by the courts to allow an appeal to continue despite procedural error. Therefore, Appellant’s appeal *must* be dismissed for failure to comply with South Carolina Appellate Court Rules as his transcript was not properly requested by motion, as specifically requested in writing by this court.

## CONCLUSION

Based on the foregoing arguments, Respondents request that Appellant's appeal be dismissed as Appellant failed to comply with notices from the South Carolina Court of Appeals and failed to comply with the South Carolina Appellate Court Rules.

RESPECTFULLY SUBMITTED,



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Claudia J. Piechota  
Holder Padgett Littlejohn + Prickett, LLC  
945 Houston Northcutt Blvd.  
North Charleston, SC 29464  
Office: (843) 310-0485  
Fax: (843) 589-9000  
cpiechota@hplplaw.com  
Attorney for the Respondents  
SC Bar No. 104228

September 10, 2025  
Charleston, SC

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

---

APPEAL FROM THE SOUTH CAROLINA WORKERS' COMPENSATION COMMISSION  
WCC File No. 2207041

---

**RECEIVED**

**Sep 10 2025**

Appellate Case No. 2025-001248

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**SC Court of Appeals**

Walter Hoover, Claimant, Appellant

v.

Tractor Supply Company, Employer, and Starr Specialty Insurance Company, Carrier,  
Defendants, of which Starr Specialty Insurance Company is the Respondent.

---

**PROOF OF SERVICE**

---

I hereby certify that I have served the Defendants' Notice of Appeal upon the parties below by placing a copy of it in the U.S. Mail, sufficient post pre-paid, on September 10, 2025, addressed as follows:

Walter Hoover, *pro se* Appellant  
6194 Dogwalla Road  
Whitmire, SC 29178  
whooverjr@gmail.com



---

Jennifer R Vanscyoc, Paralegal  
Holder Padgett Littlejohn + Prickett, LLC  
945 Houston Northcutt Blvd  
Mount Pleasant, SC 29464  
jvanscyoc@hplplaw.com

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

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6194 Dogwalla Road  
Whitmire, SC 29178  
whooverjr@gmail.com



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Jennifer R Vanscyoc, Paralegal  
Holder Padgett Littlejohn + Prickett, LLC  
945 Houston Northcutt Blvd  
Mount Pleasant, SC 29464  
jvanscyoc@hplplaw.com

Claudia J. Piechota

*Reply to: Charleston*  
direct: (843) 310-0485  
fax: (843) 589-9000  
cpiechota@hplplaw.com

September 10, 2025

Clerk, South Carolina Court of Appeals  
PO Box 11629  
Columbia, SC 29211

**RECEIVED**  
**Sep 10 2025**  
**SC Court of Appeals**

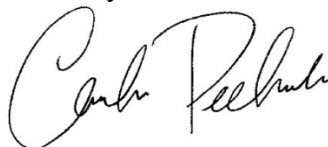
Re: Walter Hoover, Jr., Appellant, v. Tractor Supply Company, Employer, and Starr Specialty Insurance Company, Carrier, Defendants, Of which Tractor Supply Company is the Respondent.  
**Appellate Case No. 2025-001248**

Dear Sir or Madam:

Enclosed for filing in the above referenced case are the following documents:

- (1) Respondent's Motion to Dismiss and Exhibits
- (2) Memorandum In Support of Respondents' Motion to Dismiss
- (3) Proof of Service of the Motion to Dismiss.
- (4) \$50.00 Filing Fee

Sincerely,



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Claudia J. Piechota  
**HOLDER PADGETT LITTLEJOHN + PRICKETT**  
945 Houston Northcutt Blvd.  
Mt. Pleasant, SC 29464  
(843) 310-0485  
Attorney for Respondent

cc: Walter Hoover  
6194 Dogwalla Road  
Whitmire, SC 29178  
Tel: (803) 394-3047  
Pro se Appellant