

State of South Carolina  
Workers' Compensation Commission

APPELLATE PANEL DECISION AND ORDER

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

SCWCC File No.: ~~15109T~~ 1510391

Sonji McKinney,

Claimant,

v.

Drive Automotive Industries of America, Inc./Magna Industries,

Employer,

and

American Zurich Insurance Company,

Carrier,

Defendants.

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Jan 13 2026

SC Court of Appeals

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**AFFIRMED**

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Hearing held virtually on November 18, 2025

Per notice timely and properly served upon all Parties of Interest.

Appearances: Claimant/Appellant Sonji McKinney appeared *pro se*.

J. South Lewis II, Esquire, of Willson Jones Carter & Baxley, P.A., appeared on behalf of Defendants/ Respondents.

Court Reporter: Skylet Kean  
(803) 609-0134, fttpam@aol.com

Filed: January 7, 2026

**I. STATEMENT OF THE CASE**

This matter arises out of an injury the Claimant sustained by accident on July 17, 2015, arising out of and in the course of her employment with Magna Industries (Employer). The parties attended mediation and ultimately settled the matter on a clincher. An *Agreement and Final Release* (Agreement) signed by both parties was filed with the Commission on March 3, 2017, releasing the parties of all claims arising from the accident on July 17, 2015. On October 1, 2024, Claimant filed a Form 50 hearing request, alleging the same injuries from the same date of the accident as the prior claim. Defendants filed a Form 51 on October 17, 2024, alleging that Claimant was entitled to no further benefits pursuant to the Agreement and that the claim is precluded by *res judicata*. Claimant alleges that the settlement agreement is not binding as a result of mental duress, and undue influence by her attorney.

On December 4, 2024, a hearing was held before the single commissioner, and on January 16, 2025, the single commissioner issued an order in which they dismissed the matter under *res judicata* and that any further pleadings filed by Claimant related to this matter shall be administratively dismissed.

On February 5, 2025, Claimant filed an appeal, claiming that the claim was not barred as there had been a substantial change in her physical and mental condition as an effect of the accident in question. A hearing was held before the appellate panel on November 18, 2025. We affirm the decision of the single commissioner.

## **II. SINGLE COMMISSIONER FINDINGS OF FACT AND CONCLUSIONS OF LAW**

The verbatim findings of fact and conclusions of law in the appealed order of the single commissioner are as follows:

### Single Commissioner Findings of Fact

1. This case arises from an admitted and compensable injury on July 17, 2015, involving the back/spine.
2. Claimant, while represented by counsel, attended a mediation on February 9, 2017.
3. Claimant, while represented by counsel, entered into a settlement agreement and final release with Defendants on March 1, 2017.
4. The settlement agreement was filed with the Commission on March 3, 2017.
5. The Commission is without jurisdiction to resolve matters of dispute between a claimant and their attorney/former attorney.
6. I find that this matter is barred as *res judicata*, as it has been resolved on a full and final basis.

### Single Commissioner Conclusions of Law

1. Pursuant to § 42-1-10, the parties to this proceeding are subject to and bound by the South Carolina Workers' Compensation Act.
2. *Res Judicata* precludes further adjudication of this claim as it has been resolved on a full and final basis.
3. As this claim has been resolved, reviewed by the Commission, no further filings made by Claimant, relating to the same claim, should be set for a hearing, or adjudicated in any manner.
4. Further pleadings filed by Claimant related to this matter against Defendants shall be administratively dismissed.

### **III. ISSUES ON APPEAL**

1. Did the single commissioner err in dismissing the claim under *res judicata*?

#### IV. DECISION OF THE APPELLATE PANEL

##### Appellate Panel's Findings of Fact

1. This case arises from an admitted and compensable injury on July 17, 2015, involving the back/spine.
2. Claimant, while represented by counsel, attended a mediation on February 9, 2017.
3. Claimant, while represented by counsel, entered into a settlement agreement and final release with Defendants on March 1, 2017.
4. The settlement agreement was filed with the Commission on March 3, 2017.
5. The Commission is without jurisdiction to resolve matters of dispute between a claimant and their attorney/former attorney.
6. We find that this matter is barred as *res judicata*, as it has been resolved on a full and final basis.

##### Appellate Panel's Conclusions of Law

Based on the foregoing findings of fact, the undersigned commissioners make the following conclusions of law:

1. Pursuant to § 42-1-10, the parties to this proceeding are subject to and bound by the South Carolina Workers' Compensation Act.
2. *Res Judicata* precludes further adjudication of this claim as it has been resolved on a full and final basis.
3. As this claim has been resolved, reviewed by the Commission, no further filings made by Claimant, relating to the same claim, should be set for a hearing, or adjudicated in any manner.
4. Further pleadings filed by Claimant related to this matter against Defendants shall be administratively dismissed.

**ORDER**

Based on the preceding findings of fact and conclusions of law,

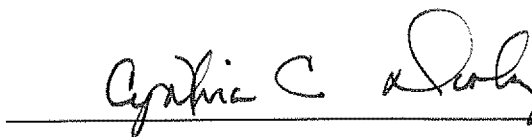
**IT IS HEREBY ORDERED** that this matter is dismissed as it is barred by *res judicata*.

**IT IS FURTHER ORDERED** that any further pleadings filed by Claimant related to this matter shall be administratively dismissed.

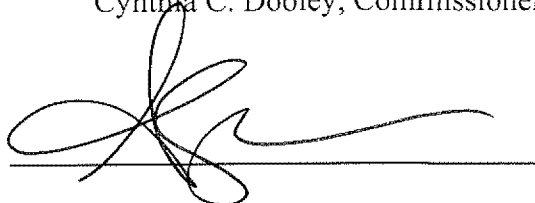
**AND SO IT IS ORDERED.**



Gene McCaskill, Commissioner



Cynthia C. Dooley, Commissioner



Aisha Taylor, Commissioner

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Date

Columbia, SC

**Order Served via email:**

Sonji McKinney <a href="mailto:sonjirmckinney@gmail.com">sonjirmckinney@gmail.com</a> <a href="mailto:mckinneysonji@gmail.com">mckinneysonji@gmail.com</a> <a href="mailto:sonji3049@gmail.com">sonji3049@gmail.com</a>	J. South Lewis <a href="mailto:jslewis@wicblaw.com">jslewis@wicblaw.com</a>
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**Order Served via USPS:**

Sonji McKinney 10315 Ringed Teal Road Apt. 107 Charlotte, NC 28262	J. South Lewis Wilson Jones Carter & Baxley 325 Rocky Slope Road, Ste. 201 Greenville, SC 29607
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**CERTIFICATE OF SERVICE**

This is to certify that the undersigned has on this date served a copy of this order in the above entitled action upon all parties to this case by sending an electronic copy hereof by electronic mail addressed to the attorneys for said parties; or if there is an unrepresented party(ies), by depositing a copy hereof, postage paid in the United States mail, first class, addressed to the unrepresented party(ies) and to the attorney(s) for the represented party(ies).

***By Eugenia Hollmon on January 7, 2026***

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**Jan 13 2026**

**SC Court of Appeals**