

The South Carolina Court of Appeals

Eulalia Sebastian, Claimant, Respondent,

v.

Hot Rod's Upholstery, LLC, Employer, and The South
Carolina Uninsured Employers' Fund, Carrier,
Defendants,

of which Hot Rod's Upholstery, LLC, Employer, is the
Appellant, and The South Carolina Uninsured
Employers' Fund, Carrier, is a Respondent.

Appellate Case No. 2026-000277

ORDER

This is an appeal from the Workers' Compensation Commission. The Commission found Respondent Eulalia Sebastian was covered by the Workers' Compensation Act because she was Appellant's employee, not an independent contractor. The Commission awarded temporary total disability benefits and found Sebastian is entitled to continuing medical treatment for the injuries caused by her work-related accident.

After careful consideration, this case is dismissed because the order on appeal is not a final decision of the Commission and not immediately appealable. *See* S.C. Code Ann. § 1-23-380 (Supp. 2025) (governing appeals from the South Carolina Workers' Compensation Commission and limiting this court's review to final decisions of the Commission or decisions that cannot be adequately remedied if reviewed after the final decision); *Bone v. U.S. Food Serv.*, 404 S.C. 67, 84, 744 S.E.2d 552, 562 (2013) (holding only judgments finally disposing of the whole subject matter of the action before the Workers' Compensation Commission are final decisions); *Brown v. Se. Servs., HHI, LLC*, 446 S.C. 105, 114, 917 S.E.2d 925, 930 (Ct. App. 2025) ("Because the commission's order is neither a final decision nor is it the type of interlocutory order that has to be reviewed

immediately to ensure adequate appellate review, we dismiss this case as not immediately appealable."). This case is not materially distinguishable from *Brown*: both cases involved orders that decided gateway issues related to whether a claim is compensable and both cases involved orders that explicitly left other issues undecided. The remittitur will be sent as provided by Rule 221(b), SCACR.



, J.

FOR THE COURT

Columbia, South Carolina

FILED
Mar 04 2026

cc:

Clarke Wardlaw McCants, IV, Esquire

Jonathan R. Hendrix, Sr., Esquire

Lauren Elizabeth Daniels, Esquire