

**State of South Carolina  
Workers' Compensation Commission**

**APPELLATE PANEL DECISION AND ORDER**

**COMMISSION PANEL:** The Honorable John Gabriel Coggiola, The Honorable Aisha Taylor,  
The Honorable T. Scott Beck

SCWCC File No.: 1925084

Christina Walthour,

Claimant,

v.

Remedy Intelligent Staffing Inc.,

Employer,

and

XL Insurance America, Inc.,

Carrier,

Defendants.

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**AFFIRMED IN PART, REVERSED IN PART**

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Hearing held virtually on December 15, 2025

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

Appearances: Robert Clyde Limehouse, III appeared on behalf of  
Claimant/Respondent.

Michael Patterson appeared on behalf of  
Defendants/Appellants.

Court Reporter: Cheryl Wiszowaty, ABC Court Reporting  
803-730-3015  
Cwiz1959@gmail.com

Filed: April 30, 2026

## I. STATEMENT OF THE CASE

On April 18, 2025, Commissioner Campbell granted Claimant's Motion to Compel compliance with the appellate panel's order of October 3, 2024. Pursuant to this motion, Defendants were required to issue payment of all outstanding temporary total disability (TTD) payments and authorize any medical treatment recommended by the authorized treating physician within seven (7) days. In addition, it was ordered that the matter was to be set for a Rule to Show Cause hearing to address applicable fines and penalties.

On July 8, 2025, a Rule to Show Cause hearing was held, where it was shown that Defendants had neither authorized medical treatment nor made TTD payments as ordered. In an order dated September 9, 2025, Commissioner Campbell found that Defendants had willfully disobeyed orders of the Commission without good cause. The commissioner found that, in addition to the TTD and medical treatment that Defendants already owe Claimant, Defendants were subject to the following:

1. A 10% penalty on all TTD payments not paid within fourteen (14) days after becoming due, pursuant to S.C. Code Ann. § 42-9-90.
2. Interest on the unpaid TTD and the 10% penalty thereon, pursuant to S.C. Code Ann. § 42-9-240, § 34-31-20(B), and *Johnson v. Sonoco Prods. Co.*, 381 S.C. 172, 177, 672 S.E.2d 567, 570 (2009). The TTD that had already accrued at the time of the April 16, 2024 order shall draw interest dating back to the date of the single commissioner's order, and the continuing weekly TTD payments thereafter shall draw interest from the date each payment became due, pursuant to *Casey v. Casey*, 311 S.C. 243, 245-46, 428 S.E.2d 714, 716 (1993). These missed payments shall accrue interest at 12.5% compounded annually,

pursuant to the order from the Supreme Court of South Carolina that was issued on January 4, 2024, entitled “Re: Interest Rate on Money Decrees and Judgments”.

3. Attorneys’ fees and costs which Claimant incurred during this action to enforce the Commission’s order, pursuant to § 42-3-175(A)(1).
4. Hearing costs in the amount of \$2,808.06, to be paid to the Commission pursuant to § 42-17-80, as I find that both the motion hearing and rule to show cause hearing have been defended without reasonable grounds.
5. Sanctions of \$500 per day of willful disobedience of an order, to be paid to the Commission. This includes \$500 per day since April 23, 2024 (when TTD payments started becoming due, 7 days after the single commissioner’s order) and continuing onward after this order until Defendants authorize medical treatment, begin weekly TTD payments, and pay all back-owed TTD plus the 10% penalty with interest.
6. Pursuant to § 42-3-175(B)(2) the director of the Department of Insurance must be notified by the chairman of the Commission of this matter.

On September 25, 2025, Defendants filed an appeal, claiming that (1) the single commissioner erred in granting Claimant’s motion to compel without a hearing, (2) the single commissioner’s order granting Claimant’s motion was overbroad, (3) the single commissioner erred in his application of SC Code Ann. § 42-3-175, and (4) the single commissioner erred in ordering sanctions against Defendants. A hearing was held before the appellate panel on December 15, 2025. We affirm in part and reverse in part the decision of the single commissioner.

## II. ISSUES ON APPEAL

1. Did the single commissioner err in granting Claimant's motion to compel without a hearing?
2. Was the single commissioner's order granting Claimant's motion overbroad?
3. Did the single commissioner err in his application of SC Code Ann. § 42-3-175?
4. Did the single commissioner err in ordering sanctions against Defendants?


## III. DECISION OF THE APPELLATE PANEL

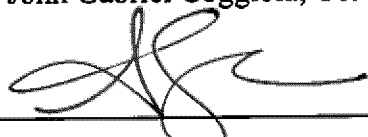
We find that Defendants have willfully disobeyed orders of the Commission without good cause. In addition to the TTD and medical treatment that Defendants already owe Claimant, Defendants are now subject to the following:


1. A 10% penalty on TTD payments not paid within fourteen (14) days after becoming due on November 2, 2024, pursuant to S.C. Code Ann. § 42-9-90.
2. Interest on the unpaid TTD and the 10% penalty thereon from November 2, 2024 until the time paid, pursuant to S.C. Code Ann. § 42-9-240, § 34-31-20(B), and *Johnson v. Sonoco Prods. Co.*, 381 S.C. 172, 177, 672 S.E.2d 567, 570 (2009). The TTD owed, beginning November 2, 2024 and until the time paid, shall draw interest from the date each payment became due, pursuant to *Casey v. Casey*, 311 S.C. 243, 245–46, 428 S.E.2d 714, 716 (1993). These missed payments shall accrue interest at 12.5% compounded annually, pursuant to the order from the Supreme Court of South Carolina that was issued on January 4, 2024, entitled "Re: Interest Rate on Money Decrees and Judgments".
3. Attorneys' fees and costs which Claimant incurred during this action to enforce the Commission's order, pursuant to § 42-3-175(A)(1).

4. Hearing costs in the amount of \$2,808.06, to be paid to the Commission pursuant to § 42-17-80, as we find that both the motion hearing and rule to show cause hearing have been defended without reasonable grounds.
5. Sanctions of \$500 per day of willful disobedience of an order, beginning November 2, 2024 and continuing until Defendants authorize ordered medical treatment and pay TTD payments.
6. Pursuant to § 42-3-175(B)(2), the director of the Department of Insurance must be notified by the chairman of the Commission of this matter.

**AND SO IT IS ORDERED.**

  
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John Gabriel Coggiola, Commissioner

  
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Aisha Taylor, Commissioner

  
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T. Scott Beck, Commissioner

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Date

Columbia, SC

**Order Served via email:**

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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 April 30, 2026***

**RECEIVED**

**Jun 01 2026**

**SC Court of Appeals**