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**Jun 05 2026**  
**SC Court of Appeals**

**THE STATE OF SOUTH CAROLINA**  
In The Court of Appeals

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

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WCC File No. 2216315  
Court of Appeals Case No. 2025-001178

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Amos Mack, Employee,.....Appellant,

v.

Don's Car Crushing, Employer,  
and BusinessFirst Insurance Company, Carrier ..... Respondents.

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**RESPONDENTS' MOTION TO REJECT APPELLANT'S RECORD ON APPEAL**

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Pursuant to Rule 210, SCACR Respondents move this Court to reject the admission of Appellant's Record on Appeal, and respectfully request this Court issue an Order requiring Appellant to adhere to Rule 210, SCACR in his preparation of the Record on Appeal. Further, Respondents request that all filings be stayed until this motion regarding the Record on Appeal is addressed.

By brief way of background, Appellant filed his Notice of Appeal on June 13, 2025, regarding the denial of his workers' compensation claim. Appellant's Initial Brief was filed on August 25, 2025, and Respondents' Initial Brief and Designation of Matter were properly filed on January 6, 2026. Appellant filed an Amended Initial Brief which was filed by the Court on January 21, 2026. On February 9, 2026, Respondents filed a Motion to Reject Appellant's Second

Amended Initial Brief, and on April 1, 2026, Judge Curtis granted Respondents' motion. Judge Curtis clarified the appeal would proceed with Appellant's August 25, 2025, Initial Brief and his October 28, 2025, Designation of Matter. Appellant filed several letters requesting to speak with the Clerk of Court regarding the matter of the Record on Appeal on April 13, 2026. Appellant filed the Record on Appeal on May 12, 2026, and was sent a deficiency letter on behalf of the Court on May 20, 2026. He filed a corrected Record on Appeal on May 28, 2026, and Respondents' motion is based upon this filing.

Respondents contend that the Record on Appeal served by Appellant is incomplete and does not comply with the requirements of Rule 210, SCACR. Under Rule 210, SCACR, the "Record on Appeal shall include all matter designated to be included by any party under Rule 209 and shall comply with the requirements of Rule 267." The Record on Appeal served on Respondents was wholly incomplete as it did not include twelve of the fourteen line-items outlined by Respondents in their Designation of Matter to be included in the Record on Appeal. Appellant properly included 1) the Decision and Order of the South Carolina Workers' Compensation Commission Appellant Panel May 16, 2025, 2) the Decision and Order of the Hearing Commissioner, Michael Campbell, dated September 9, 2024, and 3) the transcript of the March 10, 2025, Hearing before the South Carolina Workers' Compensation Appellate Panel as outlined in Respondents Designation of Matter. In the Record on Appeal, Appellant failed to include 1) Appellants' Form 50 Hearing Request dated February 16, 2024, 2) Respondent's Form 51 Employers Answer to Request for Hearing dated March 15, 2024, 3) Appellants Form 58 Pre-Hearing Brief and APA submissions to the Hearing Commissioner dated March 28, 2024, 4) Respondents Form 58 Pre-Hearing Brief and APA submissions to the Hearing Commissioner dated May 3, 2024, 5) Respondents Amended Form 58 Pre-Hearing Brief and APA submissions

to the Hearing Commissioner dated May 14, 2024, 6) Transcript of the May 15, 2024, Hearing before Hearing Commissioner, Avery Wilkerson, 7) Transcript of Dr. Rustin's deposition dated August 3, 2023, 8) Transcript of Appellant's deposition dated January 13, 2023, 9) Transcript of Appellant's deposition dated March 7, 2024, 10) the Order dated January 21, 2025 from the Full Commission, and the 11) Order Addendum dated February 5, 2025, from Hearing Commissioner, Michael Campbell. Pursuant to Rule 210, SCACR, the Record on Appeal must include the entirety of the matters listed in the Designation of Matter, and it is Appellant's responsibility to compile the record. As demonstrated, Appellant failed to include a majority of Respondents' matters designated for review on appeal. Failure to include the matters listed above in the Record on Appeal will result in a deficient understanding of the factual and procedural history of the case at hand.

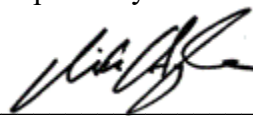
Further, in the Record on Appeal provided to Respondents, Appellant included information that is not proper to be included in the Record on Appeal under Rule 210, SCACR, as it goes outside the scope of the Designation of Matter of either party. In the Record served on Respondents, the documents included almost entirely go outside of the Designations of Matter for both Appellant and Respondents. Appellant included a letter from an insurance carrier (R. p. 4), a "Statement of the Record" (R. p. 8), a letter to "add to statement of case" (P. p. 9), the Decision and Order of Avery B. Wilkerson, Jr. dated May 15, 2024 (R. p. 10), a "Notice of Procedural Abandonment" (R. p. 14), and a Supplemental Security Administration letter (R. p. 51), among other documents that are not procedurally proper to be included in the Record. Appellant also improperly included a full copy of Appellant's Amended Initial Brief that this Court has already ruled on and rejected. (R. p. 53). By including this information in the Record, Appellant is not only disregarding an Order of this Court, but also disregarding Rule 210, SCACR. Adding in these

materials will create confusion as they are not reasonably calculated to aid the Court in determining the issues presented in this case. If Appellant were to adhere to Rule 210, SCACR, these excess documents would be excluded from the Record.

Additionally, Appellant did not comply with the requirements of Rule 210(c), SCACR, as the pagination of the Record is incorrect. Appellant improperly paginated the Record on Appeal where each new document received a page number instead of each page receiving a page number. This will create confusion in the preparation and review of the Final Briefs, therefore, Respondents request that the page requirements outlined in Rule 210 also be adhered to.

As such, based on the incomplete record, the improper inclusion of matters not designated in the Designation of Matter, and the improper formatting of the Record on Appeal, Respondents move this Court to reject the Record on Appeal and request that this Court issue an Order requiring Appellant to abide by Rule 210, SCACR, when preparing the Record. Further, Respondents request that the due date of Respondents' Final Brief be stayed until this motion can be ruled upon by the Court and the issues presented in this motion are resolved. If the Court determines that this motion should be granted, due to the complexities of the procedural history with this case, Respondents respectfully request that this Court also issue controlling deadlines for the filing of the corrected Record on Appeal and the Final Briefs.

Respectfully submitted,



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**ATTORNEY FOR RESPONDENTS**

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THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

APPEAL FROM SOUTH CAROLINA  
Workers' Compensation Commission

Appellate Case No. 2025-001178

SCWCC File No. 2216315

Amos Mack, Employee.....Appellant,

v.

Don's Car Crushing, Employer

and BusinessFirst Insurance Company, Carrier ..... Respondents.

**PROOF OF SERVICE**

I certify that I, Abby Cavallo, legal assistant for Robinson, Gray, Stepp & Laffitte, LLC, have caused the Respondents' Motion to Reject the Record on Appeal to be served on the parties below addressed as follows:

The Honorable Jenny Abbott Kitchings  
Clerk of the SC Court of Appeals  
P.O. Box 11629  
Columbia, South Carolina 29211  
Via email: [ctappfilings@sccourts.org](mailto:ctappfilings@sccourts.org)

Amos Mack  
Appellant  
1256 Tony Bay Road  
Holly Hill, South Carolina 29059

June 5, 2026



Abby Cavallo  
Legal Assistant to Nicolas L. Haigler

June 5, 2026

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*Via email: [ctappfilings@sccourts.org](mailto:ctappfilings@sccourts.org)*  
The Honorable Jenny Abbott Kitchings  
Clerk of the South Carolina Court of Appeals  
P.O. Box 11629  
Columbia, South Carolina 29211

RE: Amos Mack v. Don's Car Crushing and BusinessFirst Insurance Company  
Appellate Case No.: 2025-001178

Dear Ms. Kitchings:

Enclosed for filing please find the **Respondents' Motion to Reject Appellant's Record on Appeal** regarding the above referenced matter. Should you have any questions, please do not hesitate to contact my office.

With a copy of this letter, we are hereby serving a copy of these documents on counsel for the Appellant.

Very truly yours,



Nicolas L. Haigler, Esquire

Enclosure(s) as stated

cc: Robert Hudak (via email)