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Jul 22 2026

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

July 22, 2026

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

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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
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Attorney for the Respondents
SC Bar No. 104228

July 22, 2026

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 but failed to timely file and serve his appellant brief by the required timeline. The claim was removed by the review hearing docket; however, Appellant subsequently filed a Motion to Reinstate his claim. The Motion was granted and the 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.

Appellant ultimately filed a Notice of Appeal with the South Carolina Court of Appeals on August 21, 2025 after his initial filing was deemed deficient. Respondents then filed a Motion to Dismiss based on Appellant's continued non-compliance with South Carolina Court of Appeals Rules. Respondents timely filed their initial brief and the Motion to Dismiss was subsequently denied. On December 1, 2025, Appellant filed a Motion for Extension of Time to File Appellant's Brief, which was granted, extending his deadline for his reply brief until January 6, 2026. In the Order, the Clerk of Court noted that "no further extension will be granted absent extraordinary circumstances." On December 15, 2025, Appellant then filed his initial reply brief, arguing that (1) benefits were terminated without compliance with statutory procedure, (2) Respondents terminated benefits without Form 15, Form 17, or Statutory Notice, (3) the Full Commission failed to conduct De Novo review and ignored Appellant's pending Form 50. Appellant makes no citations to any records or prior pleadings, orders, etc. throughout his initial reply brief.

On January 12, 2026, Appellant advised the South Carolina Court of Appeals that he had served Respondents with the Record on Appeal. However, proof of service was not provided until February 2, 2026. The submitted Record on Appeal failed to incorporate several matters included in Respondent's Designation of Matters, including the Full Commission Transcript and Respondent's full APA Submission. As such, Respondents filed a Motion to Correct the Record on Appeal on February 3, 2026. On June 24, 2026, Appellant was served with an Order, instructing him to file a Supplemental Record on Appeal to include the Full Commission Transcript and Respondent's full APA Submissions (Ex. A). Claimant was to file and serve the Supplemental Record on Appeal within ten (10) days. *Id.* Appellant attempted to file the Supplemental Record

on Appeal on July 2, 2026; however, only one page was filed. (Ex. B). On July 8, 2026, correspondence from the Court instructed Appellant to file an original record on appeal and final briefs as well as one (1) bound paper copy of each. (Ex. C). The full Supplemental Record on Appeal was not properly served and filed with the Court until July 17, 2026. As of date of this Motion, Respondents have yet to be served the Supplemental Record on Appeal as required by the South Carolina Appellate Court Rules.

Based on the arguments set forth below and Appellant's continued disregard for the South Carolina Appellate Court Rules, Appellant's appeal should be dismissed.

ARGUMENT

I. ***Appellant's appeal should be dismissed as Respondents were not properly served the Record on Appeal, violating South Carolina Appellate Court Rules.***

Pursuant to South Carolina Appellate Court Rule 262(b), "any document filed with the appellate court shall be accompanied by proof of service showing the document has been served on all parties." Service is complete upon hand delivery, depositing a copy in the U.S. mail, or through electronic means. SCACR 262(c).

Here, Proof of Service was filed with the Commission on July 7, 2026, indicating the Supplemental Record on Appeal was mailed to Respondents (Ex. D). However, correspondence from Appellant dated July 8, 2026, and July 17, 2026, indicates that Respondents were not actually properly served with the Supplemental Record on Appeal (Ex. E). On July 21, 2026, Respondents requested Proof of Service for the Supplemental Record on Appeal as it had yet to be received with no response from Respondent (Ex. F). As of filing of this Motion, Respondents have not been served the Supplemental Record on Appeal. Moreover, per the Court's Order (Ex. A), the Supplemental Record on Appeal was to be served and filed by July 6, 2026. Even if Appellant had

actually served the Supplemental Record on Appeal to Respondents, Appellant did not include Proof of Service as required by SCACR 262(b) with his initial filing. Proof of Service was not filed until July 7, 2026, and the full Supplemental Record on Appeal was not filed until July 17, 2026, both of which were passed the timeline prescribed by the Court.

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.” Despite filing Proof of Service, Appellant has admitted to the Court that he has failed to properly serve Respondents with the Supplemental Record on Appeal (Ex. E). Even if service was completed, Appellant failed to comply with the Court’s June 24, 2026, Order, missing the timeline for filing the full Supplemental Record on Appeal and Proof of Service (Ex. A). Therefore, Appellant’s appeal must be dismissed for failure to comply with the South Carolina Appellate Court Rules and failure to comply with Court Orders.

CONCLUSION

Based on the foregoing arguments, Respondents request that Appellant’s appeal be dismissed as Appellant failed to comply with the South Carolina Appellate Court Rules.

RESPECTFULLY SUBMITTED,



Claudia J. Piechota
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945 Houston Northcutt Blvd.
North Charleston, SC 29464
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Fax: (843) 589-9000
cpiechota@hplplaw.com
Attorney for the Respondents
SC Bar No. 104228

July 22, 2026
Charleston, SC

Exhibit A

The South Carolina Court of Appeals

Walter R. Hoover, Jr., Claimant, Appellant,

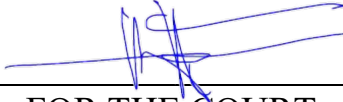
v.

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

Appellate Case No. 2025-001248

ORDER

On March 18, 2026, this court ordered Appellant to serve and file a supplemental record on appeal that includes the transcript of the hearing before the Workers' Compensation Commission's Appellate Panel and Respondents' full APA submissions. On April 7, 2026, Appellant filed a "motion regarding completeness of the record on appeal." On May 14, 2026, Respondents filed a return, and on May 19, 2026, Appellant filed a reply. We construe Appellant's April 7, 2026 motion as a motion to clarify our March 18, 2026 order. Within ten days of the date of this order, Appellant shall serve and file a supplemental record on appeal that includes the transcript of the hearing before the Workers' Compensation Commission's Appellate Panel and Respondents' full APA submissions, which were submitted as Exhibit D to Respondents' return. *See* Rule 210(a), SCACR (stating the appellant must serve the record on appeal); Rule 210(b), SCACR (stating the appellant must file the record on appeal); Rule 210(c), SCACR ("The [r]ecord on [a]ppeal shall include all matter designated to be included by any party under Rule 209 [of the South Carolina Appellate Court Rules] . . ."). Failure to comply will result in dismissal of the appeal.



FOR THE COURT

J.

Columbia, South Carolina

cc:
Walter R. Hoover, Jr.
Claudia Julia Piechota, Esquire

FILED
Jun 24 2026

Exhibit B

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HOOVER V TRACTOR SUPPLY

SC Court of Appeals⁵

1 MS. PIECHOTA: Yes, sorry about that.

2 COMMISSIONER TAYLOR: Okay.

3 MS. PIECHOTA: Can y'all hear?

4 COMMISSIONER TAYLOR: Yep, we can hear you now.

5 MS. PIECHOTA: All right.

6 COMMISSIONER TAYLOR: No worries. Okay. Your ten
7 minutes, please.

8 RESPONDENT'S POSITION:

9 MS. PIECHOTA: Good afternoon, Commissioners. My
10 name is Claudia Piechota, I'm here on behalf of
11 the Respondent. It is the Respondent's
12 position that the single Commissioner correctly
13 ruled on all issues on appeal. The Appellant,
14 first and foremost, has a standing objection on
15 all of his points of appeal is that his
16 informal briefs do not preserve any issues for
17 appeal. Commissioners, I would like you to --
18 I'd like to point you to Potter, which is the
19 South Carolina Court of Appeals case, which
20 ruled that any issue is deemed abandoned if the
21 argument is not supported by authority and is
22 conclusory. That is just a standing objection
23 on all of Mr. Hoover's points that he appealed,
24 as it was -- there was no -- no type of
25 authority. It was all conclusory.



CREEL COURT REPORTING, INC.
1230 Richland Street / Columbia, SC 29201
(803) 252-3445 / contact@creelreporting.com

8

Exhibit C



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 8, 2026

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

Ms. Claudia Julia Piechota, Esquire
945 Houston Northcutt
Charleston SC 29464

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

Dear Mr. Hoover and Counsel:

The Court has determined a need exists for one (1) bound copy of the record on appeal and all final briefs. The additional copies must comply with the binding and cover color requirements specified by Rule 267 of the South Carolina Appellate Court Rules (SCACR).

Accordingly, the appellant(s) must file an original record on appeal and final brief(s), in either electronic or unbound paper form, as well as one (1) bound paper copy of each. All other parties must file an original final brief and one (1) bound paper copy. **The bound copies are due to be served and filed at the same time as the original record on appeal and final briefs.**

The correct caption for this appeal should read as follows on the record on appeal and all final briefs:

Walter R. Hoover, Jr., Claimant, Appellant,

v.

**Tractor Supply Company, Employer, and Starr Specialty Insurance
Company, Carrier, Respondents.**

We request large parcels such as bound paper copies of the record on appeal and all final briefs be sent directly to the Court via the street address: **1220 Senate Street, Columbia, SC 29201.**

Very truly yours,

A handwritten signature in blue ink that reads "Jasmine D. Smith, Deputy". The signature is written in a cursive, flowing style. Below the signature, the word "CLERK" is printed in a simple, black, sans-serif font.

CLERK

Exhibit D

CERTIFICATE OF SERVICE

I certify that I served a copy of the foregoing **Supplemental Record Submitted in Response to Court Order** upon counsel for Respondents by depositing a true and correct copy of the same in the United States Mail, first-class postage prepaid, and/or by any other method permitted by the South Carolina Appellate Court Rules, addressed as follows:

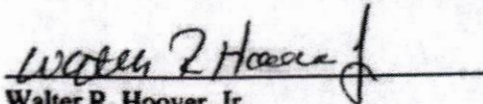
Claudia Julia Piechota
Holder, Padgett, Littlejohn & Prickett, LLC
945 Houston Northcutt Blvd.
Mt. Pleasant, South Carolina 29464

Attorney for Respondent:

Service copy sent by:

Walter R. Hoover, Jr.
6194 Dogwalla Road
Whitmire, South Carolina 29178
Email: whooverjr@gmail.com
Appellant, Pro Se

Date: July 2, 2026



Walter R. Hoover, Jr.
Appellant, Pro Se

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JUL 07 2026

SC Court of Appeals

190

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

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JUL 07 2026
SC Court of Appeals

Date: July 2, 2026

Clerk of Court
South Carolina Court of Appeals
1220 Senate Street
Columbia, South Carolina 29201

Re: **Walter R. Hoover, Jr. v. Tractor Supply Company and Starr Specialty Insurance Company**
Court of Appeals Case No.: 2025-001248
WCC File No.: 2207041

Dear Clerk of Court:

Please accept the enclosed **Supplemental Record Submitted in Response to Court Order**.

Appellant submits these materials in response to the Court's Order dated June 24, 2026, directing production of the transcript and Exhibit D.

The enclosed submission includes:

1. Title Page;
2. Index;
3. Copy of the Court's Order dated June 24, 2026;
4. Full Commission Hearing Transcript dated April 14, 2025;
5. Respondents' APAs/Exhibit D; and
6. Certificate of Service.

A copy of this submission has been served on counsel for Respondents as reflected in the attached Certificate of Service.

Respectfully submitted,

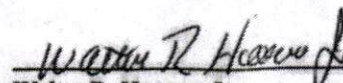

Walter R. Hoover, Jr.
Appellant, Pro Se

Exhibit E

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: Tuesday, July 21, 2026 12:21:46 PM
Attachments: [Gmail - Walter Hoover v\(1\).PDF.pdf](#)

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

Good afternoon,

Please see below - as well as the attachment and advise.

Thank you.

On Fri, Jul 17, 2026, 12:12 PM Walter Hoover, Jr <whooverjr@gmail.com> wrote:

Thank you for confirming receipt.

My filing requests direction concerning service of the supplemental record on Respondents because I am financially unable to print and mail another complete copy.

Please advise whether I should await an order on that request before serving Respondents, or whether the Court requires any action from me at this time.

Thank you.

On Fri, Jul 17, 2026, 12:01 PM Court Of Appeals Filings <ctappfilings@sccourts.org> wrote:

The Court has received your filing. A stamped copy is attached for your records.

Thank you!

From: Walter Hoover, Jr <whooverjr@gmail.com>
Sent: Friday, July 17, 2026 10:10 AM
To: Court Of Appeals Filings <ctappfilings@sccourts.org>
Subject: Re: Walter R. Hoover, Jr. v. Tractor Supply Company- 2025-001248

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

Good morning,

I am following up on my email below.

I have now prepared the Court's bound copy of the Supplemental Record on Appeal, but I remain financially unable to print, bind, and mail an additional approximately 190-page copy to Respondents. Respondents' counsel previously declined electronic service.

I have the complete Supplemental Record prepared as a single PDF attachment and respectfully request immediate guidance as to whether I may serve Respondents electronically or whether another no-cost method of service is available.

I am prepared to deliver the Court's bound copy and do not wish to delay or fail to comply with the Court's instructions.

Thank you.

On Wed, Jul 8, 2026, 5:05 PM Walter Hoover,Jr <whooverjr@gmail.com> wrote:

I received the Court's letter about the bound copy and service copies.

I'm writing because I need guidance on what to do next. I am not able to pay the extra costs for copying, binding, mailing, service copies, or any filing fee that may be needed to ask for relief from those costs.

Can you please let me know the proper way to ask the Court for a waiver, modification, or more time for these costs?

I absolutely intend to follow the Court's instructions and just need to know the correct next step.

Thank you.

On Wed, Jul 8, 2026, 3:23 PM Evans-Pryor, Khee'Asia <kpryor@sccourts.org> wrote:

Dear Mr. Hoover and Counsel,

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/1220-Senate-Street-Columbia-SC-29201)

Contact Us:

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.

## Exhibit F



Walter Hoover v. Tractor Supply Company - 004169-065746-WC-01

1 message

Claudia Piechota <cpiechota@hplplaw.com>  
To: Walter Hoover,Jr <whooverjr@gmail.com>  
Cc: Anne Downs <adowns@hplplaw.com>

Tue, Jul 21, 2026 at 10:44 AM

Mr. Hoover,

I have received correspondence from the South Carolina Court of Appeals that the Supplemental Record on Appeal has been filed. However, we have yet to receive a copy of the filed Supplemental Record. As such, please provide Proof of Service as required by the South Carolina Appellate Court Rules.

Thank you,

CLAUDIA J. PIECHOTA

[cpiechota@hplplaw.com](mailto:cpiechota@hplplaw.com) | d. 843.310.0485

FOR SOUTH CAROLINA CASES

945 Houston Northcutt Blvd.

Mt. Pleasant, SC 29464

o. 843.278.0100 | f. 843.589.9000

FOR NORTH CAROLINA CASES

3737 Glenwood Avenue, Suite 270

Raleigh, NC 27612

o. 984.664.9912 | f. 984.329.3503

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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' Motion to Dismiss upon the parties below by placing a copy of it in the U.S. Mail, sufficient post pre-paid, on July 22, 2026, 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

**Claudia J. Piechota**

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

July 22, 2026

VIA EMAIL ONLY - ctappfilings@sccourts.org

Clerk, South Carolina Court of Appeals  
Post Office Box 11629  
Columbia, South Carolina 29211

**RECEIVED**

**Jul 22 2026**

**SC Court of Appeals**

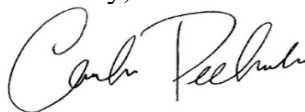
Re: Walter Hoover, Jr., Appellant, v. Tractor Supply Company, Employer, and Starr  
Specialty Insurance Company, Carrier, Defendants, Of which Tractor Supply Company is  
the Respondent.  
**Appellate Case No. 2025-001248**

Dear Sir or Madam:

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

- (1) Respondent's Motion to Dismiss; and
- (2) Memorandum in Support of Respondents' Motion to Dismiss; and
- (3) Exhibits A-F; and
- (4) Proof of Service

Sincerely,



---

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

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