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SC Court of Appeals

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

APPEAL FROM THE SOUTH CAROLINA
WORKERS' COMPENSATION COMMISSION

WCC No.: 1824334

Daniel P. Hayden, Appellant,

v.

Riverside Transport, Inc., and
Liberty Mutual Ins. Co., Respondents.

MOTION TO STAY APPEAL DEADLINES
AND REMAND

This is the second appeal of a workers compensation action. Pursuant to the Opinion of this Court issued on December 10, 2025, in Appellate Case No. 2023-001437, the Full Commission issued a Decision after remand on July 10, 2026. Appellant subsequently filed a Motion for Reconsideration on July 15, 2026, requesting clarification of some provisions of the Decision. A copy of that Motion is attached. As the Appellant's counsel is aware there are differences in opinion as to whether or not a Motion for Reconsideration is allowed in a workers compensation action, out of an abundance of caution, an appeal of the Commission Decision was filed with the Court of Appeals on August 13, 2026.

On August 17, 2026, the Commission entered an Order denying the Motion for Reconsideration on the grounds it did not have jurisdiction. Appellant is now appealing both Commission orders and would request this Court issue an order staying all appeals deadlines and

remanding the action back to the Commission for reconsideration as set forth in this Court's Order of September 8, 2026.

Counsel for Appellant would again submit the filing of the initial appeal was necessary in view of differences as to whether or not a motion for reconsideration is proper before the SC Workers Compensation Commission. Futhermore, if an appellant makes the wrong decision it could would result in the complete prohibition of an appeal to this Court.

Respectfully submitted,

Lexington, South Carolina
September 9, 2026

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