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SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM THE SOUTH CAROLINA
WORKER'S COMPENSATION COMMISSION

Appellate Case No. 2026-000207

Bernard Bluefort, Deceased,
And Belinda Bluefort, Claimant,

Appellants,

v.

Jimmie's Tree Service, Inc., Employer, and
American Interstate Insurance Company, Carrier,

Respondents.

FINAL BRIEF OF APPELLANT

Belinda D. Bluefort
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(843) 401-9437
Appellant Unrepresented by Attorney

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STATUTE OF LIMITATIONS

2.THE APPELLATE PANEL ERRED BY REFUSING APPELLANTS RIGHTS TO
SUBMIT SUFFICIENT SUBSTANTIAL EVIDENCE TO SHOW JUST CAUSE THAT
THIS IS A COMPENSABLE ACCIDENTAL WRONGFUL DEATH CLAIM WITH
INJURIES AND DISFIGUREMENT(S.C. Code Ann § 42-15-20, CODE ANN.
§2-15-40, S.C. Code Ann § 41-1-160, S.C. Code Ann § 42-9-290 AND S.C. CODE
ANN § 42-1-54). THEREFORE, THE NATURE OF INJURIES SUSTAINED RESULTED
IN HIS HEART ATTACK AND DEATH WOULD SUGGEST THAT THE STATUTE OF
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STATUTORY CONSTRUCTION § 1983 AND THE USE OF STATE LAW

STATEMENT OF THE CASE

This is a denied compensable accidental wrongful death claim with disfigurement that has sufficient evidence that suggests medical malpractice that the wrong claimant was compensated. On September 29, 2020 Bernard Bluefort was at Jimmie's Tree Service in Kingstree, South Carolina, at work performing a work related duty with no injuries. When an unusual unordinary circumstance or event took place, sustained by blunt force trauma resulting in an accident causing the claimant to suffer a heart attack as a result of the injuries sustained. Emergency Medical Service was dispatch to aid

him in his distress. The first Emergency Medical Service personnel was not fully equipped with life saving measures. Therefore, second Emergency Medical Service vehicle was dispatched. According to Georgetown Fire Bernard Bluefort was transported to Tideland's Georgetown Memorial Hospital. Where he was scheduled for a surgery. The doctor allege that he had blockages. Therefore, he had to have a heart Catheterization where they went in through his thigh verses going through his wrist which is less invasive and is less stress on the heart.

The EKG from Georgetown's Tideland Memorial Hospital is sufficient evidence to suggest extensive anterior injury patterns. According to the Respondent/Defendant alleges that Bernard Bluefort deceased on September 30, 2020. However, the testimony of Ann V. Noonan, The Georgetown Tideland's Memorial Hospital, and The Georgetown Fire Emergency Medical Service is sufficient evidence to support that Bernard Bluefort died the day of the accident. Therefore, it is beyond a reasonable doubt that the accident occurred on September 29, 2020 which is the same day of the accident. Therefore, it can be suggested that before his Heart Catheterization he had already succumb to his injuries. However, Georgetown Fire Emergency Medical Service along with Georgetown Memorial Hospital reports documented throughout their report that Bernard Bluefort was Asystolic which comes from the root word Asystole. Which means the total absence of electrical and mechanical activity in the heart. Resulting in Flatline on an electrocardiogram (ECG/EKG) and a complete stop of blood flow. Therefore, according to the Georgetown Fire Emergency Service Report he was deceased when they arrive on the scene that they allege was a motor vehicle accident. Georgetown Tideland's Memorial Hospital records that Bernard Bluefort in fact was

Asystolic when he arrived to the hospital. The question becomes if Bernard was Asystolic? His lack of vitals will support that he in fact was deceased before he was operated on. Why they did operate on him when he was already what is called in medical term Flatlined? Therefore, When an unusual or extraordinary circumstance or event took place, causing the claimant to suffer a heart attack resulting from the injuries sustained. Which he later succumb to his injuries. The respondent's willful violations and lack of cooperation made it difficult, nearly impossible for Belinda Bluefort ("Appellant") to file a claim for benefits under the South Carolina Worker's Compensation Act. The Worker's Compensation Commission denied the claim by omitting that the heart attack was a result of the injuries sustained by the accident that was caused by unusual or extraordinary circumstances or conditions of employment per S.C. Ann 41-1-160. The negligence of the respondent is sufficient evidence that this claim is not barred and that the accident should be investigated. The date that the appellant found out that there was an accident and that the deceased in fact died the day of the accident is sufficient evidence not to bar the statute of limitation.

The defendants deny that the cardiac event was a result of unusual or extraordinary circumstances, and further deny that Belinda Bluefort, claimant's widow, complied with the statute of limitations. However, according to OSHA along with the Workers Compensation Rules and Regulations the defendant did not comply with the policies and procedures in the event of an employee is injured, accidents, incidents or death on the job in a timely manner. The negligence of the defendant is evidence to suggest that the defendant failed to cooperate with the claimant's widow is grounds to

suggest why the widow did not comply in a timely manner to prevent the statute of limitations from being barred for this claim. The evidence of OSHA's letter suggests that the defendant did not comply with filling any accident, injury, employee hospitalization, illnesses, death, or incidents.

Furthermore, are grounds for the claim statute of limitation to be not barred because it was out of the control of the widow's wife to obtain the assistance needed to initiate the claim at an earlier time. The defendant never notified the claimant's widow that an accident, incident, death, or extraordinary circumstances occurred that resulted in the claimant to be hospitalized. The claimant's widow called the claimant to inquire about work to give to an individual. When allegedly South Carolina Highway Patrol informed the claimant's widow that she needed to go to the hospital immediately something happened to the claimant. As of August 5, 2025 the defendant still has not filed any accident, incident, hospitalization or death of an employee for September 29, 2020 or September 30, 2020 should be grounds to be considered not barring the expired statute of limitation. Which resulted in the claimant's widow filing a form 52 Request for Hearing on November 29, 2023, over three years after the death of the claimant. After many years of not knowing what happened, what to do, and how to proceed being that the defendant not cooperating and constantly researching the widow found enough evidence to proceed with filing a claim. Claimant's widow asserts that her husband suffered a physical work injury from an accident of unusual, extraordinary circumstances related to his employment which can be confirmed by the evidence from the hospital records suggesting that the claimant sustained injuries before

EMS arrived to the scene and before he arrived to the hospital in the hospital discharge paper reference (APA #3, pg 1-4; APA #5 pg 1-4). A accident happened while the claimant was at work. The injuries the claimant sustained would suggest that the claimant suffered from blunt force trauma whether it be from a grinder, tree trimmer, tree limbs, trees or vehicle. The lack there of Neurological activity, dilated pupils, swollen, bruised tongue, absent respiration, absent breathing, absent right and left lung breathing, absent pulse left and right, and EKG showed extensive anterior injury pattern (APA #3, pg 12) along with a list of other absent vital functions would suggest that the claimant came into direct contact with something with great force that traumatized him, along with extensive anterior injury pattern that is evidence of the condition he was in death (APA #4, pg 2; APA #3 1-4). The claimant had to come into direct contact with something with great force to leave such a traumatic injuries in order to justify the injuries sustained. The amount of injury the claimant endured is not justifiable enough to believe without a reasonable doubt that the claimant deviated into the median. If the claimant did not have the visible injuries then it would be possible. The claimant had injuries that does not suggest that he merely deviated into the median. If he deviated Into the median. Then how did he obtain lower broken ribs and bones. CPR would be justified but the bones that were broken in the rib and Lower body would suggest that the bones were broken by something with force. The broken bones suggest that the cause of death was unusual therefore it needs to be investigated. Therefore, she is entitled to benefits as the claimant's surviving spouse only wife and dependent of the claimant.

On April 30, 2024 Commissioner Scott Beck use abuse of power by forcing the appellant even after she expressed her concerns to do another dependency investigation without giving a valid reason, as to why he did not use the first dependency investigation, other than it was sloppy. Commissioner Scott Beck erred by omitting and failing to inform Belinda Bluefort("Appellant") of the Claimant that who compensated. Who claimed to be the next of kin was compensated for the death claim. Which is the reason that he denied this claim. The first dependency investigation listed another claimant's name as receiving benefits. The commissioner omitted several facts of the first dependency investigation and refusing to acknowledge to the Appellant that a claimant was already compensated. Therefore, it is reason the court find the claim not compensable instead of informing Belinda of the true nature as to why he is denying the death claim. The commissioner has knowledge of another claimant being compensated and still order Belinda Bluefort to do another Dependency Investigation with an insurance agent that Ann V. Noonan chose to do the Dependency Investigation. Therefore, ordered Belinda Bluefort who had no choice but cooperate, to do a mandatory mediation, and second dependency investigation with Tutten Insurance Company that omitted the fact that another claimant was compensated. The commissioner ignored a verified payment to another claimant, The commissioner improperly excludes a matter of public and administrative record. The commissioner sealed the records from the public after denying this claim.

On April 30, 2025 the hearing was reset for a hearing with Commissioner Beck the same day that Ann V. Noonan stated that (the deceased) that he died the day of the accident. This was the first time that the Appellant/Claimant was made aware that the

Claimant, that he did in fact died the day of the accident. Therefore, the statute of limitation is not barred. There have been several hearing that has been held throughout the years that Ms. Belinda Bluefort appeared at court in Hartsville, St. George and Marion. The courts in Marion were closed. The court erred by not cooperating with the claimant. The Court erred by failing to acknowledge to the Appellant that a claimant was compensated. Instead, the court stated on numerous occasions that the claims are not compensable. The court has done a great disservice to the Appellant. According to the State of South Carolina Court of Law that when the court or judge err by in failing to inform the Appellant that a claimant was paid. It questions the integrity and character of the courts. Instead of informing the Appellant that a claimant was paid the courts stringed the Appellant along by scheduling court dates that there was no court in session in hopes that she would not show up. The court in Marion several governmental offices informed us that the Marion Court House has been closed for years since COVID-19. A government building near the Court House referred us to the Marion County Jail where the Appellant waited for hours thinking that she had court. After the Marion Sheriffs checking diligently to assist the Appellant with locating her court date. They informed her that after checking they do not have her listed on their roster and they do not hold Worker's Compensation Courts in their office. When scheduled for court in Hartsville the Appellant waited for hours to have her case her when at the last minute a Representative informed her that her court date has been rescheduled. The Appellant has documentation and pictures are included in this brief.

SUBMISSIONS

APA #2: Records of Tidelands Georgetown Memorial Hospital, dated September 29, 2020 — September 30, 2020, consisting of pages 5-24.

Exhibit A: Records of Dependency Investigations, consisting of pages 25-86, dated March 11, 2024.

Exhibit B: Records of Supplement Dependency Investigation, consisting of pages 87-90, dated March 3, 2025.

ADDITIONAL RECORDS THAT WAS NOT SUBMITTED INTO EVIDENCE AT THE TIME OF THE HEARING:

APA #3: Records of Tidelands Health which is Georgetown Memorial Hospital, dated September 29, 2020 — September 30, 2020, consisting of pages 1-24.

APA #4: Records of Georgetown County Fire/EMS, dated September 29, 2020, consisting of pages 1-5.

APA #5: Records Georgetown County Fire EMS, dated September 29, 2020, consisting of pages 1-4.

APA #6 OSHA Forms For Recording Labor License Regulation(LLR) (South Carolina OSHA), printed on August 5, 2025, consisting of pages 1-16. Website: <https://osha.llr.sc.gov/>

APA #7: Records of Tidelands Georgetown Memorial Hospital, dated September 30, 2020, consisting of pages 16-22.

APA #8: Record of Tidelands Georgetown Memorial Hospital, dated September 30, 2020, consisting of page 10.

APA #9: Record South Carolina Department of Labor, Licensing, and Regulation, dated January 26, 2024, consisting of page 1

Exhibit C: Records South Carolina Freedom of Information Act(FOIA) Request Form, consisting of page 1.

Exhibit D: South Carolina Department of Motor Vehicles Request for a Copy of Collision Report (FR-50), dated October 22, 2020, October 30, 2020, February 5, 2024, consisting page 3.

Exhibit E: OSHA Report a Severe Injury, printed on August 5, 2025, consisting of pages 1,2.

Exhibit F: Records OSHA Work-Related Injuries and illness, printed on August 5, 2025, consisting of pages 1-12.

Exhibit G: South Carolina OSHA Accident Reporting Form, August 5, 2025, Consisting of pages 1,2.

Exhibit H: Georgetown County Fire/EMS, dated October 7, 2020, Consisting pg 1.

Exhibit I: Georgetown County Fire/EMS, dated October 28, 2020, Consisting pg 1.

Exhibit J: The South Carolina Workers' Compensation Law", printed on August 11, 2025, Consisting of pages 1-86.

STATEMENT OF FACTS

Is the death claim compensable according to The South Carolina Worker's Compensation Law"? Yes. According to but not limited to: §42-1-175; §42-1-100; §42-1-110; §42-1-130 §42-1-140; §41-1-150; §42-1-550; §42-1-610; §42-1-620§ 42-1-160 (A-E, G) "Injury" and "personal injury" mean only injury by accident arising out of and in the course of employment and shall not include a disease in any form, except when it results naturally and unavoidably from the accident and except such diseases as are compensable under the provisions of Chapter 11 of this title. In construing this section, an accident arising out of and in the course of employment includes employment of an employee of a municipality outside the corporate limits of the municipality when the employment was ordered by a duly authorized employee of the municipality.

Is the death claim compensable according to § 42-1-160 (C)? Yes. On what grounds makes this claim compensable? It can be argued that the claimant in fact had injuries before he came to the hospital. Please refer to (APA #1 pages 1-4, APA #2

pages 5-24, APA #3 pages 1-24) According to § 42-1-160 (C). Stress, mental injuries, heart attacks, strokes, embolisms, or aneurisms arising out of and in the course of employment accompanied by physical injury are considered compensable if they result from any event or series of events which are incidental to normal employer/employee relations including, but not limited to, personnel actions by the employer such as disciplinary actions, work evaluations, transfers, promotions, demotions, salary reviews, or terminations

There are several evidences within the medical reports that suggest that the claimant had injuries that was sustained by blunt force trauma is documented by the hospital upon arrival. It is clear that on September 29, 2020 at 12:40 P.M it was documented that the claimant arrived with his HEENT: pupil are fixed and dilated a series of absent vital signs that are essential to the proper functioning of the body (APA #4 1-4(All the evidence of absent vitals has been highlighted to show just cause)). Which would suggest that the claimant had an injury therefore according to § 42-1-160 (C) this would be well within the limits to being a compensable claim. The claimant's EKG also shows evidence that the claimant had injuries. EKG shows extensive anterior injury pattern(APA #3, pg 12) It is arguable that the pupil fixed and dilated would suggest that the claimant had blunt force trauma or some kind of head injury. Furthermore grounds that the claimant deviating into the median is not enough cause to suggest that it is not enough evidence to support the blunt force trauma that the claimant sustained. Enclosed are several findings that would suggest the different kinds of injury that can result from pupil being fixed and dilated. It is arguable that something happened while the claimant was at work that day that resulted injuries

therefore there needs to be some kind of investigation to find out exactly what happened to the claimant.

Why would the defendant state that there was not injuries? Therefore, it can be argued that it's not a fact that the defendant statement of there is no injuries is accurate according to the defendant attorney Ann Noonan stated in Saint George that "He died the same day of the accident" When asked by the judge referencing to the claimant. Which is verbal admittance of there was an accident that caused the defendant to sustain the injuries that are visible throughout his encounters with the EMS, Hospital on September 29, 2020.

Why does the claimants wife testify that there were injuries? The Georgetown Memorial Hospital records evidence that the claimant arrived with several injuries that can be argued that is evidence that the claimant did in fact sustained blunt force trauma on the job. It is beyond a reasonable doubt that the accident caused the claimant to have blunt force trauma that resulted in his subsequent death from unusual, extraordinary circumstances that happened while performing his job.

Medical Records:

On September 29, 2020 was 911 called? It is arguable whether or not 911 was called. The Patient Presentation state that 911 was called to the scene for what was first described as a motor vehicle accident (APA #3 pg 3) The Georgetown County Fire/EMS report Incident Report: 2005869 states that on September 29, 2020 at 11:54:05 was dispatched to a 322- Motor Vehicle accident with injuries to Georgetown Hwy/ Birthright Av, Georgetown, S.C., 29440 (APA #1, pg 1). It is also arguable that the

amount of time it took to get from the Fire station to the Claimant, then transport the claimant to the Emergency Room, to the time that the claimant was admitted to the hospital.

Why did Ann Noonan the defendant's lawyer state that the claimant died on September 29, 2020? According to the Georgetown Memorial Hospital Emergency Department Provider Documentation evidence shows that on September 29, 2020, cardiovascular: Pulseless, absent heart tones, PEA on the monitor. Gastrointestinal: Distended, absent bowel sounds. Musculoskeletal: Extremities are symmetrical. I/O present in the left leg. Neurological: GCS of 3. Unresponsive. Psychiatric: Unable to assess.(APA #3, pg 12) The evidence of this report suggests that the claimant was deceased on September 29, 2020 while in the Emergency Department at Georgetown Memorial Hospital before he his cardiac catheterization-Interventional procedure. According to the records at 12:40 pm according to several sections: He is systolic on arrival per EMS. There was a 45 second episode of ROSC prior to arrival. Patient presents in PEA. Physical Exam: General Appearance: This is an obese 53 year-old-male in cardiac arrest with CPR in progress. He is unresponsive. HEENT: Pupils are fixed and dilated. Respiratory: Endotracheal tube in place. Absent respirations. Good bilateral breath sounds with bagging. STEMI alert called at 12:51 pm, Consultation by Dr. Diaz at 12:55 pm, patient taken to Cath lab at 13:01 Pm. Which are all documented on September 29, 2020. (APA #3, page 11,12)

How can patient have absent respirations with good bilateral breath sounds?

According to Georgetown County Fire EMS record evidence suggests the claimant was still asystolic. Airway status: Compromised. Respiratory Effort: Absent,

Sounds: L: Absent, R: Absent, Outcome: Unchanged, Pulses Absent Left and Right.
Impression /Diagnosis Symptoms: Change in Responsiveness, Death (APA 5, pg 1-3)
The records would suggest that the claimant was already expired before he arrived to the hospital. Which would be evidences to suggest that the claimant expired on September 29, 2020.

Therefore, the evidence would suggest that Ann Noonan the defendant lawyer were aware that the claimant had expired on September 29, 2020 is why she stated at the Hearing held on January 9, 2025 in Saint George that he died the same day as the accident. It is beyond a reasonable doubt that they were aware that the claimant was unresponsive be alive with no Neurological responsiveness, absent respirations, asystolic, and present PEA.

How can September 30, 2020 be the date of death when on September 29, 2020 the medical records evidence suggest that the claimant had no Neurological response, absent respirations, and present PEA? The medical records is evidence to suggest that the claimant expired in the Emergency Department which is furthermore grounds to support what attorney Ann Noonan statement.

If the claimant did not have any injuries what caused his pupils to be dilated? What kind of blunt force trauma caused the claimant's pupils to be dilated? What happened to cause the claimant's pupils to be dilated?

Why is there no corner report to suggest the actual cause of death? Therefore it is arguable that the cause of death once investigated would suggest that the claimant did in fact subsequent death was from unusual, extraordinary circumstances, suggest by anterior injury patterns not caused by CPR compressions. Why is the cause of

death pending? Is evidence to suggest that something caused the heart attack that the case has yet to be investigated to show just cause to the actual cause of death.

All the evidence suggests that the claimant was deceased on September 29, 2020.

According to the Patient Presentation. 911 was called to the scene for what was first described as a motor vehicle accident. When EMS arrived they stated that the patient was unresponsive, PEA and in cardiac arrest. (APA #3, pg 3).

According to Addendum to record of death check off list for reporting deaths to coroner. If "Yes to with of the following questions, you must report to coroner: Patient expired in the Emergency Department: Circle one: No was circled. Patient hospitalized less than 24 hours: Yes was circled (APA #3, pg 10) According to this record It is suggested that the patient did not expire in the Emergency Department. However, according to the Consultation Record. The ER evaluated the patient by bed side U\S and he did not think the patient had any significant fluid around his heart, but there was no heart activity. This was done without interruption of CPR. The patient was pronounced at 1:17. CODE BLUE was done as per protocol. The patient is a cardiology patient. Death Certificate will be done by cardiology. (APA #3, pg 14) How can the patient be expired in the ER? When he was pronounced expired on September 30, 2020 in Room #2003-01. If the patient expired in the Emergency Department then evidence will suggest that he expired on September 29, 2020. Because the patient was already placed in a room before September 30, 2020. It is arguable that if the patient expired in the Emergency Department then it would suggest that the patient was Expired before they took him to his Room which was #2003-01. It is arguable how can Emergency Department evaluate a patient that is assigned to an actual room? If the

corner was contacted why would the cardiologist do the death certificate? Why the coroner never came to officially pronounce the decedent as deceased? How can a patient be in the ER and a room # 2003-01 at the same time?

Who called 911? Where is the 911 report? It is arguable that there is no evidence of a 911 call that has been made. Why no report has been released of the 911 call on September 29, 2020. Then the question then becomes if there was never a 911 call made. If the call was made? Then Who Called? How can we obtain a copy of the 911 call. How can EMS be dispatched if no one called 911. How can a South Carolina Highway Patrol be dispatched if there was is no evidence of a 911 call or no one called 911. It is beyond a reasonable doubt that if 911 was never called then the question becomes. How can a South Carolina Highway Patrol, EMS, Fire Department be dispatched if there is no evidence of a 911 call. It can be argued that instead of a 911 being called someone called in a personal favor from a friend. Then the credibility and integrity of these reports becomes questionable. The evidence in the events that took place that day will lead us to believe that there is a story that is not being told. Something happened to the claimant that day and the injuries that he sustained tells the story. Why the x-rays, MRI's, Labs, or ultra sounds taken at the hospital was not released to the family of the claimant. It can be argued that was because the patient was systolic, PEA, or unresponsive before his arrival. Therefore evidence that the claimant died on September 29, 2020. Therefore, that why the Tidelands Health documented that on the cause of death is Pending. If the cause of death pending how can it be determined that the claimant died of a heart attack? It is arguable as to why

the corner did not pronounce the claimant as deceased the doctor pronounced the claimant cause of death as pending.

Was the patient asystolic in the field? Yes, according to the claimant's patient presentation They resuscitated the claimant in the field but the claimant was still asystolic. (APA #3, pg 3)

What does PEA ? Pulseless electrical activity (PEA), He was brought to the emergency room at Georgetown Hospital where his initial rhythm in the emergency room was PEA. (APA #3, pg 3)

Did the claimant have anterior injury pattern? Yes, according to the EKG that was performed at 13:05 shows evidence that the claimant had injuries to his anterior. Which can be beyond a reasonable doubt evidence of the anterior injury suggests that blunt force trauma was a result of the injuries sustained. Therefore, on the grounds of this claim is compensable. Yes, the claim would be compensable on §42-1-160(C) the patient arrived to the hospital with injury. EKG showed extensive anterior injury pattern (APA #2 pg 12; APA #3, pg 12)

What is the status of the cause of death? The cause of death is Pending (APA #2, pg 10) Therefore, it can be argued that the claimant's injuries would suggest he died from blunt force trauma.

Did the claimant have injury? Yes, according to the Emergency Department Provider documentation HEENT: pupils are fixed and dilated (APA#2, pg 11) According research an Eye injury: Direct trauma to the eye can damage the iris muscles

responsible for pupil control. There are several injuries that can cause a individual to have pupils that are fixed and dilated.

Did the claimant have a hematoma? According to the Cardiac Catheterization - Interventional Procedure report there is evidence that there was a hematoma noted that was located at the right groin site, tegaderm applied. This furthermore proved that the claimant sustained injuries from the accident. Whether the accident was in a vehicle or while performing duties at work. There is without a reasonable doubt that there was some kind of accident that took place leaving the claimant with what is to believed to be injuries that resulted from an accident of some sort that was caused by blunt force trauma. No bleeding/hematoma noted at the right groin site, tegaderm applied (APA #2 pg 17)

Why was there no machine monitoring the claimant's heart, brain, and breathing activities? It is arguable that there there was nothing monitoring the claimants blood pressure, oxygen level, or life support.

Testimony of Sha'Hara Sha'Lette Pressley:

Was the testimony of Sha'Hara quoted incorrectly? Yes. According to court record Ms. Pressley testified that claimant had surgery at the hospital, and something monitored his heart (Id. pg.25-26). Sha'Hara testified that there was nothing monitoring his heart. Ms. Pressley stated that there was nothing monitoring the claimants heart before or after surgery.

The address that was provided to the EMS was an address that the claimant had over 24 plus years ago. We updated the address. There are several reasons

leaving us to believe that someone that the claimant knew personally provided that address. The EMS did not use the address that was on his license nor did they use the address that was listed on all his medical records. (Exhibit H, pg 1; Exhibit I, pg 1)

Standard Review

On October 27, 2020 Sha'Hara Sha'Lette Pressley tried to obtain medical records, police reports, EMS reports, accident reports via email. Upon request we can provide a copy of the emails. According to central dispatch records show no 911 calls from September 1, 2020, to September 30, 2020 to the sheriff's office or county fire EMS by name or location for this incident. She was informed that the call may have went straight to South Carolina Highway Patrol, since this was a motor vehicle accident (Exhibit D, one of the 3 page presented pages not numbered.)

Belinda Bluefort went to several different entities trying to obtain FIOA. Freedom of Information Act from various Entities diligently seeking to find out what happened to her husband.

Then on October 22, 2020, October 30, 2020, February 5, 2024 we tried to obtain the accident and police report from the South Carolina Department of Motor Vehicle. There was a report but the report could not be processed because it had not been released by the office. Unable to obtain the officer's name or any information. We tried several times. Then we waited a while then tried again with no results (Exhibit D, one of the 3 page presented pages not numbered.)

On October 26, 2020, with the Georgetown County Sheriff's Office we completed a Freedom of Information Act Request Form with no results (Exhibit C, pg.)

The reason the paperwork was filed after two years, was because I did not know what happened. It took me a lot of time trying to figure out what to do or even what to file. The employer was not in compliance and neglect to inform me that something happened to the claimant, there was an emergency, illness, or alleged heart attack let alone an accident that occurred that day. The defendant did not call me the morning that the incident took place. The defendant has yet to this day to call me to tell me something happened to my husband(the claimant). The defendant told me when I was trying to get business taken care of that there was nothing else to get. I even called Mrs. Rebecca Gerrish at the time she has since gotten married her last name has changed. I called Mrs. Gerrish several times, when she stated that there is nothing else to get. Therefore beyond a reasonable doubt someone already has already been compensated for the claim resulting in the claimant's widow to have to argue the fact that she is the rightful claimant. According to The Honorable T. Scott Beck he stated in the Hearing held in Columbia, South Carolina on September 05, 2024 that "The next time we meet we will see familiar faces). Therefore leaving the claimant widow and daughters to believe that another claimant has been compensated. It also states that in the Dependency Investigation that the claimant Eddie Bluefort "does not live at the address anymore"(Exhibit A: pages 1-100, dated March 11, 2024).

Did the claimant's wife file for Workers Compensation in the two years in a timely manner? Considering the challenges that she faced it was impossible to proceed due to the negligence of the defendant. Therefore, the manner in which the claimant's widow filed evidence would suggest that the response was in a timely manner. The defendant (Employer) has never contact the claimant's widow to inform

her that accident occurred while the claimant was at work let alone that an unusual, extraordinary circumstance nor any injuries, incidents, illnesses, emergency, or hospitalization, nor the claimant deviating into the median nor alleged heart attack took place on September 29, 2020. The defendant (Employer) never tried to inform the claimant's widow that she was entitled to Worker's Compensation. According to the information that the claimant's widow has been informed of is reason to believe without a reasonable doubt that another claimant has received compensation for the claimant. Therefore the claimant's widow suggest to have a motion to request compensation on the grounds of the injuries that the claimant sustained from an unusual, extraordinary circumstances from anterior injury patterns(APA #3, pg 12).

Was the amount of time reasonable when the claimant's widow found out about the accident? The time frame that the claimant's widow found out is considered to be in the appropriate amount of time due to the challenges that she has endured. On September 29, 2020 the date of the accident. The defendant did not call or attempt to contact the claimant's widow. As of today the defendant has yet to contact the claimant's wife to inform her about the accident. The defendant has been little to no assistant in assisting or pointing the claimant's widow in the right direction to initiate the worker compensation claims. The defendant did not give the claimant's wife the opportunity to continue the life insurance or the health on her or her child. Therefore the defendant is not in compliance. He failed to cooperate with the claimant's wife so that she could file for worker's compensation and continue health insurance. Further more, when an accident occurs on a job or when death arises during employment, the defendant is responsible for filing an accident report with OSHA. OSHA has. No report

of any accidents or anything happening on September 29, 2020 involving the claimant. There's no reports from the defendant that the claimant died.

The negligence of filing OSHA can be grounds to evidence that the defendant would not cooperate with the claimant's wife. Therefore, making it nearly impossible to file the claim in a timely manner.

CONCLUSION

This is an compensable accidental wrongful death claim that suggests medical malpractice. The Worker's Compensation Commission erred by denying this claim by overlooking the first dependency investigation report and failing to acknowledge that a claimant has already been compensated. Therefore, the decision of the Worker's Compensation Commission should be reviewed allowing all the facts, evidence be reviewed and allow the proper investigation into the accident Bernard Bluefort unfortunately succumb to his injuries.

