

THE STATE OF SOUTH CAROLINA
In The Supreme Court

APPEAL FROM THE
WORKERS' COMPENSATION COMMISSION

Court of Appeals Case No. 2012-206507
Op. No. 5171, filed September 4, 2013

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FEB 24 2014

S.C. Supreme Court

Carolyn M. Nicholson, Claimant, Petitioner,

vs.

S.C. Dep't of Social Services, Employer, and
State Accident Fund, Carrier, Defendants, Respondents.

MOTION TO EXPEDITE AND CONSOLIDATE

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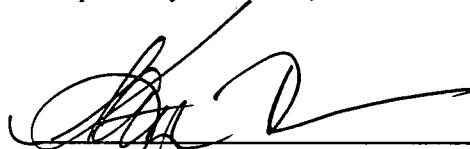
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Petitioner Carolyn Nicholson moves the Court to expedite the briefing and decision on her Petition for Writ of Certiorari and the subsequent briefing process and also to hear this case with another similar case currently pending before the Court, Judy Marie Barnes v. Charter 1 Realty, Appellate Case No. 2012-212389. This motion is made on the following grounds:

1. Petitioner is filing her Petitioner for Writ of Certiorari from the decision of the Court of Appeals together with this motion.
2. In this case, the Court of Appeals reversed the Workers' Compensation Commission and found Nicholson's injuries did not arise out of her employment since "the carpet on which [she] tripped and fell was not a hazard, a special condition, or peculiar to her employment."
3. The Court granted the Petition for Writ of Certiorari in Judy Marie Barnes v. Charter 1 Realty, Appellate Case No. 2012-212389, on November 20, 2013, and the case remains in the briefing process.
4. Similar to the Court of Appeals' decision in Nicholson, the Workers' Compensation Commission in Barnes determined that Barnes' injuries did not arise out of her employment since "[t]here was no substance, no object, no debris, or anything else over which the [c]laimant tripped."
5. Due to the similarity in these cases, Nicholson's case should be argued along with Barnes' case in order to conserve Court resources and avoid duplication of efforts.

WHEREFORE, Petitioner prays for an Order expediting the briefing and decision on her Petition for Writ of Certiorari and the subsequent briefing process and also to hear this case with the case currently pending before the Court in Judy Marie Barnes v. Charter 1 Realty, Appellate Case No. 2012-212389.

Respectfully submitted,

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Kathryn Williams (SC Bar #6140)

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Dated 2/19/14
Greenville, South Carolina

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CERTIFICATE OF SERVICE

This is to certify that the undersigned did cause the **MOTION TO EXPEDITE AND CONSOLIDATE** to be served upon the below-named by mailing a copy as addressed by U.S. Mail, proper postage paid, on the 19th day of February, 2014.

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