

The South Carolina Court of Appeals

Clifford Pasley, Appellant,

v.

Leonard Enterprises, Inc. Trans Agri, Inc., and S.C.
Uninsured Employers' Fund, Respondents.

Appellate Case No. 2014-000016

ORDER

Respondent S.C. Uninsured Employers' Fund filed a motion to dismiss, arguing Appellant filed her appeal in the wrong court. Appellant filed a return, conceding that she improperly filed her appeal in this court, but requesting this court to transfer the appeal to the court of common pleas. Because Appellant's injury occurred prior to July 1, 2007, this court agrees Appellant should have filed this appeal with the court of common pleas. *See Pee Dee Regional Transp. v. S.C. Second Injury Fund*, 375 S.C. 60, 62, 650 S.E.2d 464, 465 (2007). This court denies Respondents S.C. Uninsured Employers Fund's motion to dismiss and hereby transfers this appeal to the circuit court. *See* Rule 204(a), SCACR ("In the event the notice of appeal is filed in the wrong appellate court, the appellate court in which the matter is filed shall issue an order transferring the case to the appropriate appellate court."); *In re November 4, 2008 Bluffton Town Council Election*, 385 S.C. 632, 641, 686 S.E.2d 683, 688 (2009) (invoking Rule 204(a) and transferring the case to the circuit court because it was the proper appellate forum).


FOR THE COURT

Columbia, South Carolina

FILED
3/13/14

cc:

Frank Anthony Barton, Esquire

Margaret Mary Urbanic, Esquire

Lisa C. Glover, Esquire

Virginia Crocker