

**RECEIVED**

JUL 11 2014

**THE STATE OF SOUTH CAROLINA**  
In The Court of Appeals

---

**SC Court of Appeals**

**APPEAL FROM THE SOUTH CAROLINA WORKERS' COMPENSATION  
COMMISSION APPELLATE PANEL**

---

WCC FILE NO 0904248

---

WILLIE MOULTRIE, Employee,

APPELLANT,

v.

CHARLESTON COUNTY  
SCHOOL DISTRICT, Employer  
and CHARLESTON COUNTY  
SCHOOL DISTRICT, Carrier,

RESPONDENTS.

---

**NOTICE OF APPEAL**

---

YOU WILL PLEASE TAKE NOTICE pursuant to S.C. Code Ann. §42-17-60, the Appellant, Willie Moultrie, by his undersigned attorneys, files this Notice of Appeal from the South Carolina Workers Compensation Commission filed June 24, 2014, a copy of which is included.

The Grounds for review are as follows:

**FIRST:** The Appellate Panel erred in failing to award past temporary total benefits. The err being the only evidence in the record shows the Claimant was unable to perform the duties of his job and was not at Medical Maximum Improvement during the time period that temporary benefits should have been paid.

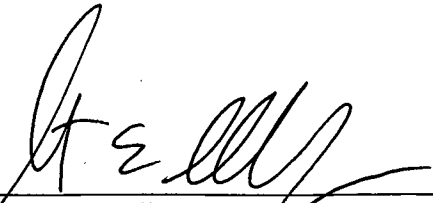
SECOND: The Appellate Panel erred in not awarding back temporary total benefits. The err being that the Commission's findings were contradictory to such an award in so much that the Commissioner found the Claimant was unable to work and unable to return to his previous job.

THIRD: The Appellate Panel erred in finding that since the Claimant retired voluntarily he would not be entitled to back temporary total benefits. The err being that no case law or statutory law supports such a finding.

FOURTH: The Appellate Panel erred in stating the Claimant had only sustained a 20% disability to his spine. The err being that the only evidence in the record was that the Claimant had sustained a 50% or more loss of use of his back.

FIFTH: The Appellate Panel erred in not awarding the Claimant total and permanent disability. The err being that the evidence in the record supported that the Claimant has sustained a 50% loss of use of his back and therefore would be deemed totally and permanently disabled under the Workers Compensation Act.

SIXTH: The Appellate Panel erred in only awarding a 20% permanent disability. The err being that such a finding was contradictory to other findings by the Commission which stated the Claimant was unable to return to work with his previous employer and will be unable to find new employment with his limited education.



---

Steven E. Goldberg  
The Steinberg Law Firm  
1516 Old Trolley Rd, Suite 100A  
PO Box 50577  
Summerville, SC 29485  
(843) 871-6522  
sgoldberg@steinberglawfirm.com  
ATTORNEY FOR APPELLANT


July 9, 2014

**CERTIFICATE OF SERVICE**

I hereby certify that on July 9, 2014, I served the Respondents in the foregoing matter with a copy of the attached Notice of Appeal by mailing a copy of same via certified mail, postage pre-paid and addressed as follows:

Leslie M. Whitten, Esquire  
Young Clement Rivers, LLP  
P.O. Box 993  
Charleston, SC 29402-0993

The South Carolina Workers Compensation Commission  
Legal Department  
PO Box 1715  
Columbia, SC 29202-1715

By:   
ELIZABETH CAPPS

**RECEIVED**

JUL 11 2014

**SC Court of Appeals**

DAVID T. PEARLMAN  
J. KEVIN HOLMES  
THOMAS M. WHITE  
DALE E. VAN SLAMBROOK  
MALCOLM M. CROSLAND, JR.  
STEVEN E. GOLDBERG



MICHAEL J. JORDAN  
BENJAMIN W. AKERY  
CHARLES S. GOLDBERG,  
LLC, OF COUNSEL  
HUGO M. SPITZ (RETIRED)  
IRVING STEINBERG (1902-1980)

1516 Old Trolley Road | Suite 100A | P.O. Box 50577 | Summerville | SC | 29485 | 843.871.6522 | 843.871.8565 fax | steinberglawfirm.com

July 01, 2014

The Honorable Jenny Abbott Kitchings, Clerk of Court  
South Carolina Court of Appeals  
P.O. Box 11629  
Columbia, SC 29211

Re: Willie Moultrie vs. Charleston County School District, et al  
WCC File No.: 0904248

Dear Ms. Kitchings,

Enclosed please find for filing the original and two copies of a Notice of Appeal, Proof of Service, a copy of the Appellate Panel Decision and Order which is to be challenged on appeal, and our firm check in the amount of \$100.00 for your filing fee. Please file the originals and return a file-stamped copy to me in the self-addressed, stamped envelope enclosed for your convenience.

By copy of this letter to the Honorable South Carolina Workers' Compensation Commission and to Leslie M. Whitten, Esquire, attorney for the Employer/Carrier (Respondents), I am serving upon the Commission and the Respondents a copy of the Notice of Intent to Appeal.

With kind regards, I am

Sincerely,

Steven E. Goldberg  
email: [sgoldberg@steinberglawfirm.com](mailto:sgoldberg@steinberglawfirm.com)  
Direct Fax: (843) 735-6351

SEG/emc  
Enclosure

cc: Willie Moultrie  
The Honorable South Carolina Workers Compensation Commission  
Leslie M. Whitten, Esquire

72804  
**RECEIVED**

JUL 11 2014

**SC Court of Appeals**



UNITED STATES POSTAGE



PITNEY BOWES

02 1P

\$ 002.87<sup>0</sup>

0003199798

JUL 09 2014

MAILED FROM ZIP CODE 29485

VED

2014

of Appeals

The Honorable Jenny Abbott Kitchings, Clerk  
of Court  
South Carolina Court of Appeals  
P.O. Box 11629  
Columbia, SC 29211

