



## The South Carolina Court of Appeals

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Re: Artemio Alvarez v. Quality HR Services, et. al.  
Appellate Case No. 2013-000575

Dear Counsel:

The record in this case indicates the claimants are currently receiving payment of benefits ordered by the Workers' Compensation Commission. (R. 155-64). The Court, therefore, orders the parties to file a memorandum addressing whether the Commission, and this Court, have subject matter jurisdiction to adjudicate the issues before us. See *Price v. Peachtree Elec. Servs., Inc.*, 396 S.C. 403, 409, 721 S.E.2d 461, 464 (Ct. App. 2011) (holding Commission lacks subject matter jurisdiction to adjudicate "[c]laims not affecting the employee's right to compensation").

Moreover, the order of the Circuit Court and the transcript from the hearing before the Single Commissioner indicate that issues in these cases were bifurcated, and the questions before us are not a final and complete judgment. (R. 79 n.2, 155-64). See *Price v. Peachtree Elec. Servs., Inc.*, 405 S.C. 455, 457, 748 S.E.2d 229, 230 (2013) ("An agency decision that does not decide the merits of a contested case is not a final agency decision subject to judicial review." (citing *Bone v. U.S. Food Serv.*, 404 S.C. 67, 73-74, 744 S.E.2d 552, 556 (2013))). The Court instructs the parties to submit a memorandum addressing whether the order on appeal is an appealable order. The memoranda must be submitted within fifteen (15) days of the date of this letter.

Very truly yours,

*V. Claire Allen*

DEPUTY CLERK