

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

APPEAL FROM THE SOUTH CAROLINA  
WORKERS' COMPENSATION COMMISSION

Melody L. James, Appellate Panel Chairman, Commissioner

Case No. Unknown  
WCC File No. 1106833

TIMOTHY MCMAHAN,

APPELLANT,

V.

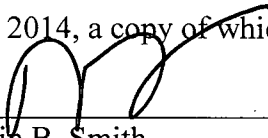
SC DEPARTMENT OF EDUCATION – TRANSPORTATION,  
AND STATE ACCIDENT FUND

RESPONDENT.

NOTICE OF APPEAL

YOU WILL PLEASE TAKE NOTICE the Appellant, Timothy McMahan, by and through his undersigned attorneys, files this Notice of Appeal from South Carolina Workers' Compensation Commission filed September 30, 2014, a copy of which is included.

October 21, 2014

  
Kevin B. Smith  
Hoffman Law Firm  
7087 Rivers Avenue  
N. Charleston, SC 29406  
(843) 769-7077  
ksmith@hoffmanlaw.net  
Attorneys for Appellant

Other Counsel of Record:  
George T. Miars, Jr., Esquire  
Willson, Jones, Carter and Baxley  
421 Wando Park Blvd. Suite 100  
Mt. Pleasant SC 29464  
Attorneys for Respondent  
(843) 284-1080

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OCT 27 2014

**SC Court of Appeals**

**THE STATE OF SOUTH CAROLINA**  
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WORKERS' COMPENSATION COMMISSION**

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SC DEPARTMENT OF EDUCATION – TRANSPORTATION  
AND STATE ACCIDENT FUND,

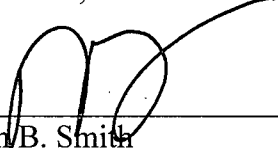
RESPONDENT,

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**PROOF OF SERVICE**

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I certify that I have served the Notice of Appeal and a copy of the Appellate Panel Decision and Order of the South Carolina Workers' Compensation Commission dated September 30, 2014, addressed to the attorney of record, George T. Miars, Jr., Esquire, Willson Jones Carter & Baxley, P.A., 421 Wando Park Boulevard, Suite 100, Mt. Pleasant, SC, 29464, and to the South Carolina Workers' Compensation Commission, P.O. Box 1715, Columbia, SC, 29202-1715.

  
\_\_\_\_\_  
Kevin B. Smith  
Hoffman Law Firm  
7087 Rivers Avenue  
N. Charleston, SC 29406  
(843) 769-7077  
ksmith@hoffmanlaw.net  
Attorneys for Appellant

October 22, 2014

**HOFFMAN**  
**LAW FIRM**

**DAVID L. HOFFMAN, JR.**  
**KEVIN B. SMITH**

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**CONTACT@HOFFMANLAW.NET**

October 21, 2014

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

**RECEIVED**

OCT 27 2014

RE: Timothy McMahan v. SC Department of Education-Transportation  
WCC File No.: 1106833  
Ct. App. Case No.: \_\_\_\_\_  
DOI: 6/15/11

**SC Court of Appeals**

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 judgment which is to be challenged on appeal, and our firm check in the amount of \$150.00 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.

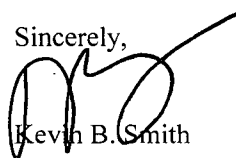
Because the claimant died after the commencement of this workers' compensation claim, filed an Amended SCWCC Form No. 50 with the South Carolina Workers' Compensation Commission to amend the caption to show the claimant's wife as the PR for his estate. (Dorothy McMahan as PR of the Estate of Tim McMahan). Despite this Amended Form 50 which was filed on July 31, 2013, the Appellate Panel Decision and Order was prepared with the old caption. Please advise whether or not the Court of Appeals caption should be modified for future filings.

Also, the transcript was already ordered and received. Therefore, I will not be ordering another copy. My understanding is that this makes my Initial Brief due November 22, 2014. Please advise if this is incorrect.

By copy of this letter to the South Carolina Workers' Compensation Commission and to George T. Miars, Jr., Attorney for the Employer/Carrier (Respondents), I am serving upon the Commission and the Respondents a copy of this Notice of Appeal.

With kind regards, I am

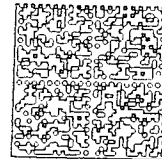
Sincerely,



Kevin B. Smith

KBS/jhd  
Enclosures

cc : S.C. Workers' Compensation Commission  
Dorothy McMahan as PR of the Estate of Timothy McMahan  
George T. Miars, Esquire



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**HOFFMAN**  
**LAW FIRM**

7087 RIVERS AVENUE  
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