

THE STATE OF SOUTH CAROLINA  
In The Supreme Court

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APPEAL FROM SOUTH CAROLINA  
Workers' Compensation Commission

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WCC File No.: 0717624

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**RECEIVED**

DEC 05 2014

SC Court of Appeals

Hector G. Fragosa, (Employee/Claimant), .....Petitioner,  
v.  
Kade Construction, LLC (Employer) and  
Key Risk Management Services, Inc. (Carrier),..... Respondents.

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**RESPONDENTS' RETURN TO APPELLANT'S MOTION FOR  
EXTENSION OF TIME TO FILE INTIAL BRIEF AND DESIGNATION  
OF MATTER TO BE INCLUDED IN THE RECORD**

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On November 26, 2014, Appellant filed a motion for extension of time to file his Initial Brief and Designation of Matter to be Included in the Record. As stated in the motion, Appellant's Initial Brief and Designation of Matter were due on November 26, 2014.

Pursuant to Rule 240(b), SCACR, the time limits imposed by the Appellate Court Rules shall not be stayed by the filing of a motion. This includes a motion for extension of time. (Rule 240(a)). Since Appellant's motion for extension does not stay the time the time limit imposed by the rules for filing Appellant's Initial Brief, in this case November 26, 2014, the appellate clerk shall file an order dismissing the appeal pursuant to Rule 208(a)(4).

RESPECTFULLY SUBMITTED,



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J. Gabriel Coggiola, Esquire  
Michael W. Burkett, Esquire  
Willson Jones Carter & Baxley, P.A.  
4500 Fort Jackson Blvd.  
Columbia, SC 29209  
(803) 227-2888  
(803) 782-2527 facsimile  
Attorneys for Respondents

December 3, 2014

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

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**PROOF OF SERVICE**

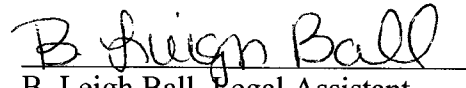
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I certify that I, Leigh Ball, legal assistant to J. Gabriel Coggiola, have properly served **Respondents' Return to Appellant's Motion for Extension of Time**, by mailing a copy of the same by United States Mail with first class postage prepaid to the following addresses:

Stephen B. Samuels  
Samuels Law Firm, LLC  
1320 Richland Street  
Columbia, SC 29201  
Attorney for the Petitioner

Jeff. C. Chandler  
Chandler Law  
Bank of America Building  
2501 Oak Street  
Myrtle Beach, SC 29578  
(843) 448 – 4357  
Attorney for Petitioner

The Honorable Amy Bracy  
Judicial Director  
S.C. Workers' Compensation Commission  
Post Office Box 1715  
Columbia, South Carolina 29202-1715

A handwritten signature in black ink that reads "B. Leigh Ball". The signature is written in a cursive style and is positioned above a horizontal line.

B. Leigh Ball, Legal Assistant  
Willson, Jones, Carter & Baxley  
4500 Fort Jackson Blvd.  
Columbia, SC 29209  
(803) 782-2519  
blball@wjlw.net

December 3, 2014  
Columbia, South Carolina

# WILLSON JONES CARTER & BAXLEY, P.A.

ATTORNEYS AT LAW

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GREENVILLE    CHARLESTON    COLUMBIA    CHARLOTTE    RALEIGH    ATLANTA

John Gabriel Coggiola  
Direct (803) 227-2889  
Fax (803) 782-2527  
jgcoggiola@wjlaw.net

4500 Fort Jackson Boulevard  
Columbia, SC 29209  
www.wjcbllaw.net

December 3, 2014

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DEC 05 2014

SC Court of Appeals

The Honorable Jenny Abbott Kitchings  
South Carolina Court of Appeals  
1015 Sumter Street  
P.O. Box 11629  
Columbia, SC 29211

Re: Hector Fragosa vs. Kade Construction, LLC  
**Appellate Case No.: 2014-002354**  
WCC File No.: 0717624 DOI: 11/1/2007  
WJC&B File No.: 0310.00420

Dear Ms. Kitchings:

Pursuant to Rule 240(e), SCACR, please find enclosed for filing the original and six (6) copies of **Respondent's Return to Appellant's Motion for Extension of Time to File Appellant's Initial Brief and Designation of Matter**, along with proof of service for the same.

Please have your staff clock in the extra copy of Respondent's Return to Appellant's Motion and the Proof of Service that I have provided and return the clocked copy in the enclosed self-addressed stamped envelope. If you have any questions or concerns, please do not hesitate to contact my office.

With kindest regards,

WILLSON JONES CARTER & BAXLEY, P.A.



John Gabriel Coggiola

JGC/jgc

Enclosure

cc: Mr. Jeffrey C. Chandler  
Mr. Stephen B. Samuels  
Amy Bracy, S.C. Workers' Compensation Commission  
Mr. Robert Parkins (via email)

Honorable Jenny Abbott Kitchings  
Carolina Court of Appeals  
Sumter Street  
Box 11629  
Columbia, SC 29211

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DEC 05 2014

**SC Court of Appeals**

