

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

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JAN 21 2015

APPEAL FROM RICHLAND COUNTY
Court Of Common Pleas

SC Court of Appeals

M4810

Alison Renee Lee, Circuit Court Judge

Appellate Case No. 2013-000887

Gertrude Shiver, Claimant,Appellant,

v.

Palmetto Health Richland, Employer, Key Risk Management
Services, Inc., TPA, Palmetto Hospital Trust Services, Carrier,
Trident Regional Medical Center, Employer, and Zurich American
Insurance Company, Carrier, Respondents.

MOTION TO SUPPLEMENT THE RECORD ON
APPEAL AND ENLARGE TIME

Respondents respectfully move for an order allowing a supplement to the Record on Appeal pursuant to Rule 212(b) and additionally move for an order granting an enlargement of time of 20 days from the date of service of the supplement to the Record on Appeal to file the Respondents' Final Brief. In support of the motion, Respondents state:

1. Appellant is a *pro se* litigant. Appellant filed the Record with this Court on December 23, 2014, along with a "Motion to File Out of Time." This Court has not yet ruled on this motion.

2. Appellant filed with this Court proof of service of the Record on January 2, 2015. Two volumes of the Record were served on Respondents via hand-delivery on

December 30, 2014, with the remaining volumes served January 5, 2015. Following receipt of the Record from Appellant and after thorough review, Respondents find that Appellant served different copies of the Record to the Respondents.

3. Of the two copies served on one Respondent, copies differed in page numbers and content.

4. Following receipt of the Record from Appellant and after thorough review, Respondents find that certain documents listed in the Respondents' Amended Designation of Matter were omitted.

5. Following receipt of the Record from Appellant and after thorough review, Respondents find that there are gaps in numbering, misnumbered pages, missing pages, and pages that are out of sequence. Additionally, the cover sheets for the Record are mislabeled, assigning the incorrect volume number to each bound copy.

6. A detailed letter from counsel for the Respondents has been sent via mail and email indicating these errors with specificity and the letter requests compliance in correcting the Record. Appellant has not complied and has failed to correct the Record.

7. Due to Appellant's failure to correct the Record, Respondents have been required to file a Motion for Enlargement of Time, as to be able to properly cite to the Record as required pursuant to Rule 211(b)(1), SCACR.

8. In an effort to establish a corrected record, Respondents submit the attached index for "Appendix A" pursuant to Rule 212(c), SCACR. Appendix A lists the documents designated by Respondents, but omitted by Appellant, that will comprise the supplemented Record on Appeal and containing all of the documents identified in the Respondents' Amended Designation of Matter.

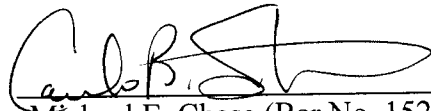
9. Respondents have served the index for "Appendix A" on Appellant in compliance with Rule 212(c), SCACR.

Wherefore, Respondents respectfully move for an order permitting Respondents to supplement the Record on Appeal to include all documents listed in the Respondents' Amended Designation of Matter pursuant to Rule 212(b), SCACR, and Respondents respectfully move for an order granting an enlargement of time to file Respondents' Final Brief.

Respectfully submitted,

January 21, 2015

By:

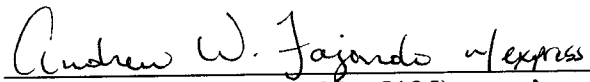


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INC.

January 21, 2015

By:



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ATTORNEYS FOR RESPONDENT
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AND ZURICH AMERICAN INSURANCE
COMPANY

APPENDIX A

I. PLEADINGS

July 23, 2007 Form 50, Request for Hearing
(WCC Claim No. 9503744) (pages previously omitted
from the Record on Appeal)R. pp. 220-223

October 18, 2006 Form 50, Request for Hearing
(WCC Claim No. 0126962) (pages previously omitted
from the Record on Appeal)R. pp. 227-230

October 9, 2006 Form 50, Request for Hearing
(WCC Claim No. 0227098) (pages previously omitted
from the Record on Appeal)R. p. 231

October 7, 2006 Form 50, Request for Hearing
(WCC Claim No. 0322274) (pages previously omitted
from the Record on Appeal)R. pp. 232-234

II. TRANSCRIPTS

September 4, 2007 hearing transcript before
Commissioner Huffstetler (pages previously omitted
from the Record on Appeal)R. pp. 1104, 1105, 1119

III. EXHIBITS AND OTHER MATERIALS

Respondents Palmetto Health Richland and Key Risk
Management Services, Inc.'s APA pp. 1-109; 1-161
(WCC Claim No. 0321756) (pages previously omitted
from the Record on Appeal)R. pp. 923-931

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Services, Inc., TPA, Palmetto Hospital Trust Services, Carrier,
Trident Regional Medical Center, Employer, and Zurich American
Insurance Company, Carrier, Respondents.

PROOF OF SERVICE

I certify this 21st day of January 2015 that I have served copies of the MOTION TO SUPPLEMENT THE RECORD ON APPEAL AND ENLARGE TIME by mailing same, postage prepaid in the United States mail, addressed to the following:

Ms. Gertrude Shiver
1026 Congaree Church Road
Gadsden, SC 29052

Allison M. Carter, Esquire
Wilson Jones Carter & Baxley, P.A.
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Mt. Pleasant, SC 29464

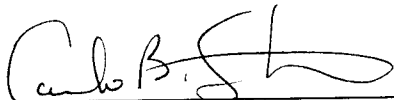
APPELLANT, *PRO SE*

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January 21, 2015

VIA HAND DELIVERY

The Honorable Jenny Abbott Kitchings, Clerk
South Carolina Court of Appeals
1015 Sumter Street
Columbia, SC 29201

Re: Gertrude Shiver v. Palmetto Health Richland, Key Risk Management Services, Inc., Palmetto Hospital Trust Services, Trident Regional Medical Center and Zurich American Insurance Company
Appellate Tracking No.: 2013-000887
File No.: 1329.238


Dear Ms. Kitchings:

Enclosed please find the original and seven copies of Respondents' Motion To Supplement The Record On Appeal And Enlarge Time regarding the above-referenced matter. Also enclosed are the original and one copy of the Proof of Service and our check for the filing fee. Please file the original documents and return clocked copies to me via our office courier. Thank you for your assistance with this matter, and please contact me if you have any questions.

With kind regards, I am

Very truly yours,

TURNER, PADGET, GRAHAM & LANEY, P.A.



Carmelo B. Sammataro

CBS/tj
Enclosures

TURNER PADGET

January 21, 2015
Page 2

cc: Ms. Gertrude Shiver
Lana H. Sims, Jr., Esquire
Andrew W. Fajardo, Esquire
Allison M. Carter, Esquire
(w/enc.)