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August 15, 2012

The Honorable Daniel E. Shearouse  
Clerk of Court, SC Supreme Court  
Supreme Court Building  
1231 Gervais Street  
P.O. Box 11330  
Columbia, SC 29211

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AUG 16 2012

S.C. SUPREME COURT

pm 8-15-12

**Re: Christopher Price v. Peachtree Electrical Services, et al.**  
**SCWCC No.: 0220142**  
**Civil Action No.: 2009-CP-22-0087**  
**Case Tracking Number: 2012-207886**  
**Our File No. 3399.056**

Dear Mr. Shearouse:

In light of the Court's recent decision in Bone v. U.S. Food Service and Indemnity Insurance Company of North America, Opinion No. 27153 (S.C. August 1, 2012), Petitioner hereby supplements its Petition and Reply in this matter pursuant to Rule 208(b)(7), SCACR, to include reference to this pertinent recent authority.

The decision of the Court in Bone is on point and consistent with Petitioner's assertion that the Court of Appeals erred in applying Section 14-3-330(1) in determining whether an order from the Workers' Compensation Commission is immediately appealable. As this Court unequivocally established in Bone, appeals from administrative tribunals such as the Workers' Compensation Commission are governed by the more specific statutes relevant to appeals contained within the Administrative Procedures Act ("APA"). Id.

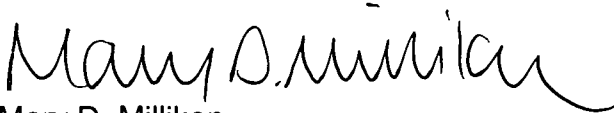
Moreover, the Bone opinion addresses and seeks to provide clarity on the issue of what constitutes a "final judgment" with respect to appeals under the APA. This determination is at the heart of Petitioner's law of the case argument. In this regard, the Court aptly determined that the order at issue in Bone, which held that the claimant suffered a compensable injury but remanded for further proceedings consistent with that determination, was not a "final judgment" and thus was not immediately appealable under the APA.

Petitioner submits this new authority to demonstrate that the First Appellate Panel Order at issue in this case presents a good example, consistent with this Court's holding in Bone, of an order which constitutes a final judgment and is therefore immediately appealable. As Petitioner has pointed out, the First Appellate Panel Order remanded the case only for performance of the ministerial act of making a mathematical determination of the reimbursement amount, and Respondent in fact made no objection and presented no evidence with respect thereto. (R. pp. 69-70, 76).

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In light of this Court's opinion in Bone, Petitioner respectfully requests that this Court grant its Petition to review the Court of Appeals' decision in this matter and take this opportunity to provide further guidance to the bench and bar regarding what constitutes a "final order" for purposes of appealability under the APA.

Sincerely yours,

  
Mary D. Milliken

MDM/dmh

cc: Kirsten L. Barr, Attorney at Law  
Janey Wilson