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THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM THE APPELLATE PANEL OF THE
SOUTH CAROLINA WORKERS' COMPENSATION COMMISSION

Appellate Case No. 2012-211392

George W. Thomas,..... Respondent,

v.

5 Star Transportation, Appellant,

and

S.C. Uninsured Employers' Fund.

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SC Court of Appeals

PETITION TO REINSTATE APPEAL

The Appellant, 5 Star Transportation, respectfully submits this petition and is requesting the Court to reinstate its appeal. This matter is an appeal from a Decision and Order of the Workers' Compensation Commission. It was dismissed administratively on the grounds that Rules 203, 208 and 209 of the SCACR were not followed. Specifically, the Notice of Appeal failed to include a copy of the order of the administrative tribunal that is being appealed and that the Initial Brief and Designation of Matter.

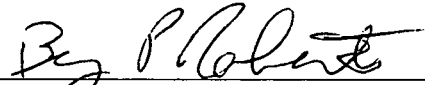
The Appellant would respectfully offer that its failure should not be grounds for a dismissal of this action. In accordance with SCACR 207(a)(1), the Appellant timely requested the transcript for the proceeding below at the administrative tribunal, but the transcript has not yet been delivered. Thus, Appellant's initial filings would not

be due until the transcript is received. The Appellant would request an enlargement of time to inquire into the status of the delivery of the transcript and report the information to the Court.

The Appellant would offer that the failure to include a copy of the Decision and Order of the administrative tribunal would not be prejudicial and that dismissal is not mandatory. The Notice of Appeal sets forth the specific grounds for the exceptions taken to the Decision and Order being appealed. Additionally, the delay in submitting the initial filings is likewise not prejudicial. The Appellant requested the transcript, but has not received it.

Therefore, Appellant respectfully requests that the Court reinstate this appeal and allow for an enlargement of time to inquire into the transcript of the proceeding below and to allow for the submission of the Decision and Order of the administrative tribunal (copy of which is included) that is being appealed. This would not prejudice any other party involved in this pending matter. Furthermore, the Appellant would respectfully submit that the Court regularly grants requests for extensions and enlargements of time and thus this request would not unduly delay this proceeding.

August 8, 2012



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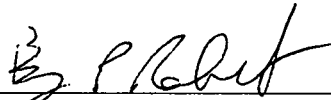
I certify that I have served the Petition for Reinstatement in this matter on behalf of Appellant on all parties and/or counsel of record by depositing a copy of it in the United States Mail, postage prepaid, on August 8, 2012, addressed as follows:

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August 8, 2012