

75905

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

RECEIVED

MAY 13 2015

APPEAL FROM THE WORKERS' COMPENSATION COMMISSION
Appellate Case No. 2014-002366

SC Court of Appeals

Briett Johnson, Employee,Appellant,

v.

Pike Electric, Inc., Employer, and Liberty Mutual
Insurance Company, Carrier, Respondents.

MOTION TO INCLUDE CD IN THE RECORD

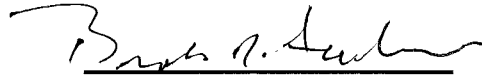
Pursuant to Rules 209, 210, and 240, SCACR, Appellant respectfully moves that a compact disc ("CD") containing digital photographs be included in the Record on Appeal.

This workers' compensation case concerns an automobile accident resulting in the death of the worker. The Highway Patrol MAIT team investigation resulted in more than 600 photographs of the vehicle, the decedent, and the area leading up to the accident. These photographs were provided to the parties, and to the hearing officers, in CD form. With five exceptions, printed copies were not provided to the hearing officers; prints of these five photographs are being included in the Record.

Appellant cited the CD in the Initial Brief of Appellant, and listed the CD in the Designation of Matter. There will be no prejudice to any opposing party. It would make little sense to include printed copies of the 600-plus photographs in the Record, as it would cost an estimated \$5,115.30 to print 17 copies of the color photographs, and the Court would be burdened with two additional volumes of Record.

WHEREFORE, Appellant respectfully requests that the Court issue an order either allowing her to include a copy of the CD in the Record, or directing the Workers Compensation Commission to deliver the CD to the Court.

May 11, 2015



Brooks R. Fudenberg
SC Bar No. 0072019
Law Offices of Brooks R. Fudenberg, LLC
1004 Anna Knapp Blvd., Suite 3
Mt. Pleasant, SC 29464
Tel. (843) 416-2558
BRF@Fudenberglaw.com
eFax: (910) 401-1242
Attorney for Appellant

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

RECEIVED

MAY 13 2015

APPEAL FROM THE WORKERS' COMPENSATION COMMISSION
Appellate Case No. 2014-002366

SC Court of Appeals

Briett Johnson, Employee,Appellant,

v.


Pike Electric, Inc., Employer, and Liberty Mutual
Insurance Company, Carrier, Respondents.

PROOF OF SERVICE

I certify that I have served Appellant's Motion To Include Cd In The Record in this case on the Respondents by placing a copy in the US Mail, sufficient postage prepaid, addressed to:

J. Brandon Hylton, Esq. PO Box 7489 Florence, SC 29502	Helen F. Hiser, Esq. McANGUS GOUDELOCK. & COURIE, L.L.C. P.O. Box 650007 Mount Pleasant, South Carolina 29465
Weston Adams, III, Esq. McANGUS GOUDELOCK. & COURIE, L.L.C. P.O. Box 12519 Columbia, South Carolina 29211-2519	H. Steven DeBerry, IV, Esq. 129 S. Coit St. Florence, SC 29501

May 11, 2015



Brooks R. Fudenberg, SC Bar No. 0072019
Law Offices of Brooks R. Fudenberg, LLC
1004 Anna Knapp Blvd., Suite 3
Mt. Pleasant, SC 29464
Tel. (843) 416-2558
BRF@Fudenberglaw.com

LAW OFFICE OF BROOKS R. FUDENBERG, LLC

1004 Anna Knapp Blvd., Suite 3
Mt Pleasant, SC 29464
Tel. (843) 416-2558
BRF@Fudenberglaw.com

May 11, 2015

RECEIVED

MAY 13 2015

SC Court of Appeals

Honorable Jenny Abbott Kitchings
Clerk of South Carolina Court of Appeals
PO Box 11629
Columbia, SC 29211

Re: *Briett Johnson, Employee, Appellant, v. Pike Electric, Inc., Employer, and Liberty Mutual Insurance Company, Carrier, Respondents*

Appellate Case No. 2014-002366

Dear Ms. Kitchings:

Enclosed please find:

- An original and seven (7) copies of Appellant's Motion To Include CD In The Record;
- My firm check in the amount of \$25.00;
- A proof of service upon the Respondents;
- A copy of the proof of service; and
- A return envelope.

It would be appreciated if you would return a clocked copy of the motion and the proof of service in the enclosed envelope.

Should you require further information, please do not hesitate to contact me.

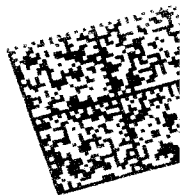
Yours very truly,


Brooks R. Fudenberg

cc: J. Brandon Hylton, Esq.
Weston Adams, III, Esq.
Gregory B. Askins, Esq.

Helen F. Hiser, Esq.
H. Steven DeBerry, IV, Esq.

enberg, Esq.
F Brooks R. Eudenberg, LLC
Knapp Blvd, Suite 3
ant, SC 29465



Hon. Jenny Abbott Kitchings
Clerk of Court, SC Court of Appe
P.O. Box 11629
Columbia, SC 29211

2921131629 5012

10/1/11