

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

77763

APPEAL FROM THE SOUTH CAROLINA WORKERS' COMPENSATION
COMMISSION
Gene McCaskill, Commissioner

Appellate Case No.: 2015-001546
W.C.C. 0919909

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NOV 02 2015

SC Court of Appeals

Rudy Barreira Almazan, Employee

v.

Henson & Associates, Inc., Employer, and Auto Owners Insurance
Company, Carrier,.....Respondents,

And

S.C. Uninsured Employers Fund.....Appellant.

**MOTION TO ACCEPT REVISED
DESIGNATION OF MATTER OUT OF TIME**

Pursuant to Rule 240, S.C.A.C.R., the above-named Respondents respectfully request that the Court of Appeals accept the Respondents' Revised Designation of Matter out of time. The Designation of Matter was revised with the consent of the Appellant and the Record on Appeal has already been filed based upon the Revised Designation of Matter previously filed with the Court of Appeals and served upon the Appellant.

WE SO MOVE.

Kirsten L. Barr

Roy A. Howell, III

Kirsten L. Barr

Trask & Howell, L.L.C.

P.O. Box 2167

Mt. Pleasant, SC 29465

(843) 881-4228

Attorneys for Employer and

Auto Owners Insurance Co.,

Respondents

October 30, 2015

HAROLD E. TRASK
ROY A. HOWELL, III
KIRSTEN L. BARR
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October 13, 2015

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

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SC Court of Appeals

Re: Rudy Barreira Almazan v. Henson & Associates, Inc.
W.C.C. File No.: 0919909
Appellate Case No.: 2015-001546
Carrier File No.: 36-2229-10
Date of Accident: September 26, 2009

Dear Ms. Kitchings:

Pursuant to discussions with Amy V. Cofield, Attorney for the Appellants, the South Carolina Uninsured Employers Fund, please find enclosed for filing our Revised Designation of Matter, with accompanying Proof of Service, in the above-referenced matter.

By copy of this letter, I am serving the all counsel of record with a copy of this document. If you should have any questions, please do not hesitate to contact me.

Yours very truly,

Kirsten L. Barr

KLB/ekb/les

Enc.

cc: Iris Harris, Auto Owners Insurance Company (w/enc.)
Kenneth Henson, Henson & Associates, Inc. (w/enc.)
John Preston Griffith, III, Esq. (w/enc.)
Amy V. Cofield, Esq. (w/enc.)

1262/3281 COA Revised DOM

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COMMISSION
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And

S.C. Uninsured Employers Fund.....Appellant.

**REVISED DESIGNATION OF MATTER
TO BE INCLUDED IN THE RECORD ON APPEAL**

The Respondents propose the following be included the Record on Appeal:

1. Order of January 17, 2012;
2. Order of August 3, 2012;
3. Order of July 8, 2014;
4. Order of June 17, 2015;
5. Petition to Transfer Liability dated November 12, 2013;
6. Form 30 dated July 18, 2014;
7. Form 19 dated January 14, 2013;
8. Defendants' APA Submissions numbered 2, 3, 4, 11, and 16 presented at the April 25, 2011 hearing;

9. Attorney Smith's APA submission number 2 presented at April 25, 2011 (Contract); and
10. Transcript of Record dated April 25, 2011 pages 59—131.

I certify that this designation contains no matter that is irrelevant to this appeal.

October 13, 2015


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Respondents

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Respondents,

And

S.C. Uninsured Employers Fund.....Appellant.

PROOF OF SERVICE

The undersigned hereby certifies that the above-named Employee, Rudy Barreira Almazan, and the South Carolina Uninsured Employers Fund were served with a copy of the attached Respondents' Revised Designation of Matter this 13th day of October 2015, by depositing a copy of the same in the United States Mail, first class postage prepaid, addressed to the counsel of record, as follows:

John Griffith, Esq.
P.O. Box 2866
Anderson, SC 29622

Amy V. Cofield, Esq.
809 South Lake Drive
Lexington, SC 29072

October 13, 2015



Roy A. Howell, III, SC Bar #11888
Kirsten L. Barr, SC Bar #15525
Trask & Howell, L.L.C.
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(843) 881-4228
Attorneys for Employer and
Auto Owners Insurance Co.,
Respondents

THE STATE OF SOUTH CAROLINA
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And

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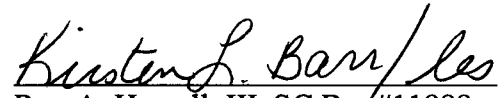
PROOF OF SERVICE

The undersigned hereby certifies that the above-named Employee, Rudy Barreira Almazan, and the South Carolina Uninsured Employers Fund were served with a copy of the attached Motion to Accept Revised Designation of Matter Out of Time this 30th day of October 2015, by depositing a copy of the same in the United States Mail, first class postage prepaid, addressed to the counsel of record, as follows:

John Griffith, Esq.
P.O. Box 2866
Anderson, SC 29622

Amy V. Cofield, Esq.
809 South Lake Drive
Lexington, SC 29072

October 30, 2015

A handwritten signature in cursive script that reads "Kirsten L. Barr".

Roy A. Howell, III, SC Bar #11888

Kirsten L. Barr, SC Bar #15525

Trask & Howell, L.L.C.

P.O. Box 2167

Mt. Pleasant, SC 29465

(843) 881-4228

Attorneys for Employer and
Auto Owners Insurance Co.,
Respondents

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W.C.C. File No.: 0919909
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Dear Ms. Kitchings:

Enclosed herewith for filing, please find the original and six (6) copies of our Motion to Accept Revised Designation of Matter Out of Time and original Proof of Service of the same in the above-named matter. By a copy of this correspondence, I am serving the other counsel of record with a copy of our Motion. Also enclosed, please find our check in the amount of \$25.00 for the filing of this Motion.

Yours very truly,


Kirsten L. Barr

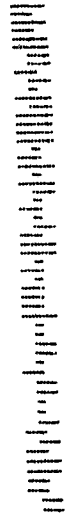
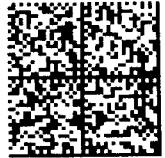
KLB/ekb/les

Enc.

cc: Iris Harris, Auto Owners Insurance Company (w/enc.)
John Preston Griffith, III, Esq. (w/enc.)
Amy V. Cofield, Esq. (w/enc.)

1262/328\1-COA w Motion to Accept Revised DOM

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SC Court of Appeals



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