



# The South Carolina Court of Appeals

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February 17, 2016

The Honorable Faye L. Sellers  
PO Box 529  
Chesterfield SC 29709-0529

## REMITTITUR

Re: Antonio Hough v. Town of Pageland  
Lower Court Case No. 2011Cp1300667  
Appellate Case No. 2014-000453

Dear Clerk of Court:

The above referenced matter is hereby remitted to the lower court or tribunal. A copy of the judgment of this Court is enclosed.

Very truly yours,

  
CLERK

Enclosure

cc: Melvin Wayne Cockrell, III, Esquire  
Sarah Crawford Campbell, Esquire  
Wade Coleman Lawrimore, Esquire

William Dennis Curtis, Jr., Esquire  
Charles Franklin Thompson, Jr., Esquire

**THIS OPINION HAS NO PRECEDENTIAL VALUE. IT SHOULD NOT BE  
CITED OR RELIED ON AS PRECEDENT IN ANY PROCEEDING  
EXCEPT AS PROVIDED BY RULE 268(d)(2), SCACR.**

**THE STATE OF SOUTH CAROLINA  
In The Court of Appeals**

Antonio Hough, Appellant,

v.

Town of Pageland, Respondent.

Appellate Case No. 2014-000453

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Appeal From Chesterfield County  
J. Michael Baxley, Circuit Court Judge

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Unpublished Opinion No. 2016-UP-019  
Heard November 4, 2015 – Filed January 20, 2016

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**AFFIRMED**

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Sarah Crawford Campbell and Melvin Wayne Cockrell,  
III, of Cockrell Law Firm, P.C., of Chesterfield, Wade  
Coleman Lawrimore, of Zimmerman & Shealy, LLC, of  
Newberry, William Dennis Curtis, Jr., of Chesterfield,  
for Appellant.

Charles Franklin Thompson, Jr., of Malone Thompson  
Summers & Ott, LLC, of Columbia, for Respondent.

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**PER CURIAM:** Antonio Hough appeals the trial court's grant of summary judgment to the Town of Pageland in a retaliatory discharge proceeding. Affirmed pursuant to Rule 220(b), SCACR, and the following authorities: *Hinton v. Designer Ensembles, Inc.*, 343 S.C. 236, 242, 540 S.E.2d 94, 97 (2000) ("In order to prove a claim under [section 41-1-80 of the South Carolina Code (Supp. 2015)], a plaintiff must establish three elements: 1) institution of workers' compensation proceedings, 2) discharge or demotion, and 3) a causal connection between the first two elements."); *id.* (providing the appropriate test of causation is the "determinative factor" test which requires the employee establish that he would not have been discharged "but for" the filing of the workers' compensation claim); § 41-1-80 (providing the employer with affirmative defenses, including the violation of specific written company policy); Rule 403, SCRE (stating evidence may be excluded if its probative value is outweighed by unfair prejudice).

**AFFIRMED.**

**HUFF, WILLIAMS, and THOMAS, JJ., concur.**