

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

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MAR 08 2016

SC Court of Appeals

APPEAL FROM THE S.C. WORKERS' COMPENSATION COMMISSION

Appellate Panel Review

W.C.C. File No. 1312352

Timothy York, Employee, Claimant/Appellant,

v.

Longlands Plantation a.k.a,
Knollwood, Inc.

and

Companion Property and

Casualty Group, Carrier, Defendants/Respondents

APPELLANT'S MOTION TO AMEND CAPTION

The Appellant, Yvonne Burns, by and through her undersigned attorney, moves before the South Carolina Court of Appeals for an Order allowing the caption in the above captioned appeal to be amended to conform with Rule 267(a) SCACR to properly state parties to the appeal to the caption on the following grounds:

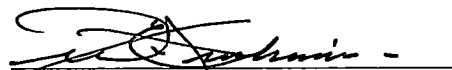
1. This is an appeal from the South Carolina Workers' Compensation Commission of the Decision and Order filed January 20, 2016 with Notice of Appeal to the South Carolina Court of Appeals dated February 10, 2016. The Decision and Order of the South Carolina Workers' Compensation Commission caption did not include Companion Property and Casualty Group, Carrier/Defendant/Respondent or Yvonne Burns, Defendant/Claimant who is the Appellant in the Notice of Appeal to the South Carolina Court of Appeals.
2. The Decision of the South Carolina Workers' Compensation Full Commission awarded death benefits of Timothy York to his mother, Shirley York and no benefits were awarded to Yvonne Burns Defendant/Claimant.
3. The Notice of Intention to Appeal and the Caption of the Order should be Amended to reflect the following parties:

Tyrone York, as personal representative for Timothy York (Deceased),
Employee/Claimant and Yvonne Burns, Defendant/Claimant versus Longlands

Plantation a.k.a. Knollwood, Inc., Employer and Companion Property and Casualty Group, Carrier.

4. Appellant would further move to then file an Amended Notice of Intention to Appeal within thirty (30) days of the Order of this court disposing of this Motion.

March 7, 2016



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PROOF OF SERVICE

I certify that I have served Appellant's MOTION TO AMEND CAPTION on Respondent Longlands Plantation a.k.a Knollwood, Inc. and Companion Property and Casualty Group and the S.C. Workers' Compensation Commission by depositing a copy of it in the United States Mail, postage prepaid, on March 7, 2016, addressed as follows:

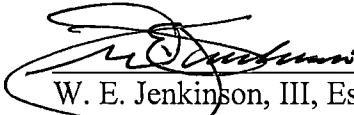
Attorneys of record:

Ann M. Mickle, Esquire
James R. Davidson, IV, Esquire
Mickle & Bass, LLC
Post Office Box 5639
1519 Richland Street
Columbia, SC 29250

Amy Bracy, Judicial Director
S.C. Workers' Compensation Commission
P.O. BOX 1715
Columbia, SC 29202-1715

J. Brandon Hylton, Esquire
McAngus Godelock & Courie, LLC
Post Office Box 7489
Florence, SC 29502

March 7, 2016



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W. E. Jenkinson, III
Ernest J. Jarrett*
Jennifer R. Kellahan**

J. Thomas Thompson

*Certified Family Court Mediator
**Certified Circuit Court Mediator

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SC Court of Appeals

The Honorable Jenny Abbott Kitchings
Clerk, South Carolina Court of Appeals
Post Office Box 11629
Columbia, South Carolina 29211

RE: Timothy York v. Longlands Plantation
WCC File No.: 1312352
Appellate Case No.: 2016-000258

Dear Ms. Kitchings:

Please find enclosed the following documents:

- 1) Original and seven (7) copies of Appellant's Motion to Amend Caption in the above captioned case;
- 2) Check in the amount of \$25.00 for the filing fee; and
- 3) Proof of Service of Motion on opposing counsel.

By copy of this letter I am serving all counsel of record with a copy of the same. I would appreciate your returning a clocked copy of my motion and proof of service to me in the enclosed self-addressed stamped envelope.

With best regards, I am

Very truly yours,

JENKINSON, JARRETT & KELLAHAN, PA

W. E. Jenkinson, III

Email: billy@jenkinsonlaw.com

JWEJ/lis

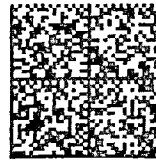
Enclosure(s): as stated

Cc: Ann M. Mickle, Esquire
James R. Davidson, IV, Esquire
J. Brandon Hylton, Esquire
Amy Bracy, Judicial Director - SCWCC

nkinson, Jarrett & Kellahan, PA

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The Honorable Jenny Abbott Kitchings

Clerk, South Carolina Court of Appeals

Post Office Box 11629

Columbia, South Carolina 29211

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