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THE STATE OF SOUTH CAROLINA
In the Court of Appeals

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MAY 12 2016

SC Court of Appeals

APPEAL FROM THE SOUTH CAROLINA
WORKERS' COMPENSATION COMMISSION

WCC File No. 1307602

Verma Tedder, Employee Appellant/Claimant,

vs.

Darlington County Community Action Agency, Employer,
and State Accident Fund, Carrier, Respondents/Defendants.

NOTICE OF APPEAL

Appellant, Verma Tedder, herein appeals the Order of the Appellate Panel of the South Carolina Workers' Compensation Commission dated April 20, 2016, on the following grounds:

1. THE APPELLATE PANEL ERRED AS A MATTER OF FACT AND CONCLUSION OF LAW IN FAILING TO FIND THE CLAIMANT WAS TOTALLY AND PERMANENTLY DISABLED PURSUANT TO S.C. CODE §42-9-10.
2. THE APPELLATE PANEL ERRED AS A MATTER OF FACT AND CONCLUSION OF LAW IN REFUSING TO ADMIT OR CONSIDER THE CLAIMANT'S APA NO. 8, THE REPORT OF VOCATIONAL EXPERT, J. ADGER BROWN, JR.
3. THE APPELLATE PANEL ERRED AS A MATTER OF FACT AND CONCLUSION OF LAW IN FAILING TO FIND THE CLAIMANT SUFFERED FROM PERMANENT RESTRICTIONS AS A RESULT OF THE ACCIDENT.

4. THE APPELLATE PANEL ERRED AS A MATTER OF FACT AND CONCLUSION OF LAW IN FINDING THAT THE FUNCTIONAL CAPACITY EVALUATION PERFORMED BY COLUMBIA REHABILITATION CLINIC WAS INVALID AND IN FAILING TO CONSIDER SUCH EVALUATION.
5. THE APPELLATE PANEL ERRED AS A MATTER OF FACT AND CONCLUSION OF LAW IN FINDING THE CLAIMANT WAS NOT CREDIBLE.
6. THE APPELLATE PANEL ERRED AS A MATTER OF FACT AND CONCLUSION OF LAW IN FINDING THAT THE CLAIMANT DID NOT MEET THE BURDEN TO ESTABLISH THAT THE DEFENDANTS' REQUEST FOR OVERPAYMENT WAS BARRED BY THE DOCTRINE OF LACHES AND IN AWARDING THE DEFENDANTS CREDIT FROM THE DATE THE FORM 21 WAS RECEIVED BY THE COMMISSION.

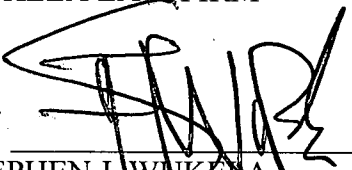
Appellant was served with written notice of entry of this Order on April 20, 2016.

May 10th, 2016

OTHER COUNSEL OF RECORD:

Murrell Smith, Jr., Esquire
Attorney at Law
PO Box 580
Sumter SC 29151

WUKELA LAW FIRM

BY: 
STEPHEN J. WUKELA
ATTORNEY FOR APPELLANT
SC BAR NO. 68351
PO BOX 13057
FLORENCE SC 29504
843-669-5634

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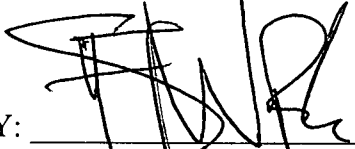
vs.

Darlington County Community
Action Agency, Employer, and
State Accident Fund, Carrier, Respondents/Defendants.

PROOF OF SERVICE

I certify that I have served the Notice of Appeal on Respondents by depositing a copy of it in the United States Mail, postage prepaid, on May 10th, 2016, addressed to their attorney of record, Murrell Smith, Jr., Esquire, PO Box 580, Sumter SC 29151.

WUKELA LAW FIRM

BY: 
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SC Court of Appeals

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

Re: Verma Tedder v. Darlington County Community Action Agency, et al
WCC File No. 1307602

Dear Ms. Kitchings:

Enclosed please find for filing a Notice of Appeal in the above case. Also enclosed are the following:

1. Proof of Service of the Notice of Appeal on the Respondents;
2. A copy of the Order which is to be challenged on appeal;
3. A filing fee of One Hundred (\$100.00) Dollars.

By copy of this letter, I am serving the South Carolina Workers' Compensation Commission with a copy of the Appeal.

With kind regards, I am

Yours truly,

WUKELA LAW FIRM

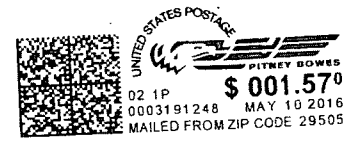

STEPHEN J. WUKELA

SJW:jpb

Enclosures

cc: Murrell Smith, Jr., Esquire

Honorable Amy Bracy
SC Workers' Compensation Commission



First Class Mail

WUKELA LAW FIRM

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P.O. BOX 13057
FLORENCE, SC 29504

To:

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

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