

THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

APPEAL FROM
THE SOUTH CAROLINA WORKERS' COMPENSATION COMMISSION

Full Commission Decision

Case No. 1320141

Ignacio RodriguezRespondent,

v.

Robert T. Pierson d/b/a Pierson Constr. Co.,
and
ABC Care, Inc.,
and
Property and Casualty Insurance Co. of Hartford,
and
The South Carolina Workers' Compensation Uninsured Employers Fund

Of whom Property and Casualty Insurance Co. of Hartford., is theAppellant.

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SC Court of Appeals

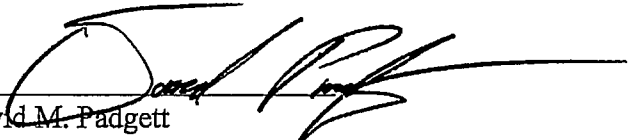
NOTICE OF APPEAL

Property and Casualty Insurance Co. of Hartford appeals the decision of the Full Commission dated June 20, 2016. Appellant received a copy of this decision on June 20, 2016. The issues on appeal are:

1. Whether the Commission erred in finding "all construction permits and all governmental documents" confirmed that ABC Care, Inc., was the "owner, operator, and builder" at 149 Lake Wood Lane, Sunset, South Carolina 29685.
2. Whether the Commission erred in finding Ignacio Rodriguez was an employee of ABC Care, Inc.
3. Whether the Commission erred in finding ABC Care, Inc., regularly employed four employees, in South Carolina, in the same business and occupation during the relevant period surrounding Ignacio Rodriguez's incident.

4. Whether the Commission erred in finding ABC Care, Inc., was subject to the South Carolina Workers' Compensation Act.
5. Whether the Commission erred in finding Property and Casualty Insurance Co. of Hartford insured ABC Care, Inc., in South Carolina.
6. Whether the Commission erred in finding Ignacio Rodriguez is entitled to medical benefits.
7. Whether the Commission erred in finding Ignacio Rodriguez is entitled to temporary total disability benefits.
8. Whether the Commission erred in finding Robert T. Pierson, d/b/a Pierson Construction, Co., and the South Carolina Workers' Compensation Uninsured Employers Fund are improper parties to this action.

July 14, 2016


David M. Padgett

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Of whom Property and Casualty Insurance Co. of Hartford., is theAppellant.

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PROOF OF SERVICE


The undersigned hereby certifies that a true copy of the Notice of Appeal in the above referenced case has been served on all parties of record by mailing a copy of same in the United States mail, postage prepaid this 21st day of July, 2016, addressed as follows:

William H. Ehliès, Esquire
310 Mills Avenue., Suite. 201
Greenville, South Carolina 29605
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July 29, 2016

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

RE: *Ignacio Rodriguez v. Robert T. Pierson d/b/a Pierson Constr. Co., and ABC Care, Inc., and Property and Casualty Insurance Co. of Hartford, and The South Carolina Workers' Compensation Uninsured Employers Fund*
Appeal from The South Carolina Workers' Compensation Commission
Case No. 1320141
Appellate Case No. 2016-001497

Dear Clerk:

Enclosed for filing is Property and Casualty Insurance Co. of Hartford's Notice of Appeal with Proof of Service. A copy of the Decision and Order of the Full South Carolina workers' Compensation Commission has also been provided for your files.

Also enclosed is copy of Appellant's Motion for Leave to Present Additional Evidence and Memorandum in Support of its Motion for Leave to Present Additional Evidence, together with Proof of Service.

By copy of this letter, we are serving one copy of each upon all counsel of record.

Thank you for your assistance in this matter and please do not hesitate to contact our office if you have any questions.

Very truly yours,

HOLDER, PADGETT, LITTLEJOHN + PRICKETT, LLC


David M. Padgett

DMP:lkw

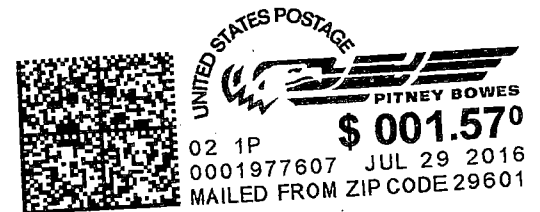
Enclosures

cc: William H. Ehlires Esq.



Randall S. Hiller, Esq.
David H. Keller, Esq.
South Carolina Workers' Compensation Commission
Client

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