

IN THE COURT OF APPEALS

APPEAL FROM RICHLAND COUNTY
Workers Compensation Commission

RECEIVED
AUG 22 2016
SC Court of Appeals

APPELLATE CASE NO. 2016-000509
W.C.C. FILE NO. 1212974

SUSIE HENLEY, EMPLOYEE.....APPELLANT,

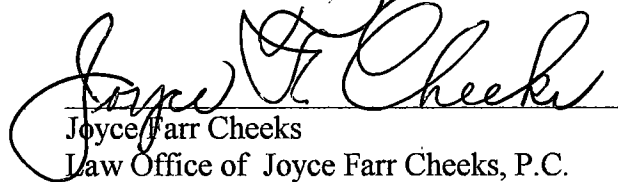
V.

**OTIS SPUNKMEYER, EMPLOYER, and
TRUMBULL INSURANCE COMPANY c/o
THE HARTFORD, CARRIER.....RESPONDENTS.**

**APPELLANT DAVID HENLEY'S RETURN TO THE MOTION OF JEANNETTE
PADGETT, JOEL PADGETT AND MAURICE PADGETT TO PARTICIPATE IN
APPELLATE CASE**

Appellant David Henley (Appellant) files this return to the motion of Jeannette Padgett, Joel Padgett and Maurice Padgett (Respondents) to participate in this appeal to further clarify his position as related in Respondents' motion. Respondents correctly state in the final paragraph of their motion that Appellant does not oppose their motion. However, Appellant deems it prudent to elucidate that while he does not oppose the relief requested by Respondents in their motion, Appellant contends that the Court should order Respondents to re-submit the same initial brief returned by the Court to Respondents and determine the timeliness thereof based on the dates previously established by the filing of Appellant's initial brief. Appellant is informed and believes that it would be patently unfair to grant Respondents additional time to amend their initial brief without affording the same opportunity to Appellant, especially considering Appellant timely filed his initial Reply brief prior to receiving notice of the captioning issue upon which the within motion is based.

Accordingly, Appellant respectfully requests that the Court order Respondents to re-submit the same initial brief returned by the Court to Respondents and determine the timeliness thereof based on the dates previously established by the filing of Appellant's initial brief if the Court grants the relief requested by Respondents in their motion to participate. Alternatively, the Court should grant both parties equal additional time to submit their respective initial briefs.



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Columbia, S.C.
August 22, 2016

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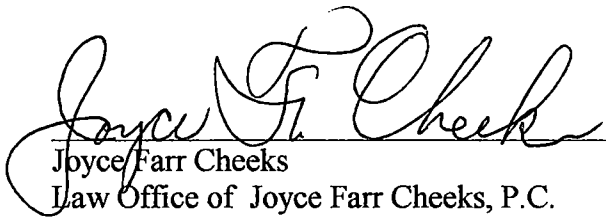
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TRUMBULL INSURANCE COMPANY c/o
THE HARTFORD, CARRIER.....RESPONDENTS.

CERTIFICATE OF SERVICE

I certify that I have served Appellant David Henley's Return to the Motion of Jeannette Padgett, Joel Padgett and Maurice Padgett to Participate in Appellate Case on the following by depositing a copy in the United States Mail, postage prepaid, on August 22, 2016, and addressed to the attorneys of record, as follows:

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May 4, 2016