

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM RICHLAND COUNTY
Court of Common Pleas

G. Thomas Cooper Jr, Circuit Court Judge

Case No. 2016-000598

Clarence B. Jenkins Jr,

Appellant,

v.

Amazon.Com DEDC, LLC
and American Zurich
Insurance,

Respondents.

DESIGNATION OF MATTER TO BE
INCLUDED IN THE RECORD ON APPEAL

Appellant proposes the following be included in the Record on Appeal:

1. Transcript from South Carolina Worker's Compensation Commission Hearing of May 21, 2015;
2. Transcript from South Carolina Worker's Compensation Appellate Panel of December 14, 2015;
3. South Carolina Worker's Compensation Appellate Panel Order of February 26, 2016;
4. Single Commissioner Michael Campbell II. Decision and Order of August 14, 2015;
5. South Carolina Worker's Compensation Single Commissioner Proposed Order of May 26, 2015;


6. South Carolina Worker's Compensation Commission Appellate Decision and Order dated November 18, 2014;
7. South Carolina Worker's Compensation Commission Decision and Order dated May 27, 2014;
8. Claimant form 50 dated February 25, 2015 filed with South Carolina Worker's Compensation Commission pertaining to assigned worker's compensation doctor, Dr. Mahmoud Abu-Ata medical diagnosis, records and work restrictions;
9. Respondents; Motion To Include Appellant's Exhibits To The Form 30 dated September 24, 2015 p.2;
10. Defendant's Reply to Claimant 's Motion To Include Appellant's Exhibits To The Form 50 dated October 9, 2015 p. 1;
11. Respondents' Brief to Full Commission dated November 11, 2015 pp. 7-8;
12. Notice of Deposition with Dr. Mahmoud Abu-Ata, assigned worker's compensation doctor on November 10, 2014 by Defendants dated September 19, 2014 stated on form 50 filed February 25, 2015, May 21, 2015 Transcript pp.3-19;
13. Defendant's pre-hearing brief form58 admittance to work injury on February 10, 2013 which provided a documented list of exhibits with South Carolina Worker's Compensation Commission dated May 11, 2015;
14. Medical Reports from Palmetto Health-Health Works dated February 14-15, 2013 and April 15, 2013.
15. A reminder letter from Assigned Nurse Kelly Wells dated June 9, 2014 assigned by Amazon.Com DEDC, LLC regarding June 20, 2014 medical appointment with Dr. Mahmoud Abu-Ata, May 21, 2015;
16. Claimant's injury report filed with Amazon.Com DEDC, LLC on February 10, 2013 stated on form 50 filed February 25, 2015;
17. Medical Records from Dr. Sharon Eden, Dr. Tomachio, Dr. Tonia Gantt and Dr. Gonzalez of Norfield Medical Center regarding Claimant's Medical Condition on form 50 dated February 25, 2015;
18. Documentations from Amazon.Com DEDC, LLC Human Resources (Michelle Doyle) placing Claimant on a leave because of medical condition/restrictions dated August 14, 2013, May 21, 2015 Transcript;
19. Medical Records by Dr. Paysinger, Dr. Stickler and Dr. Jervey on form 50 dated February 25, 2015;
20. Amazon.Com DEDC, LLC Certification of Health Care Provider completed Dr. Sharon Eden dated September 10, 2013;

21. A letter from Amazon.Com DEDC, LLC Legal Representation, Attorney Elizabeth Render confirming an appointment with Dr. Charles Jervey dated November 4, 2013 stated on form 50 filed February 25, 2015;
22. A Health care Provider Certificate for FMLA completed by Dr. Mahmoud Abu-Ata, assigned worker's compensation doctor regarding claimant medical condition a/restrictions dated March 9, 2014;
23. Amazon.Com DEDC, LLC work restrictions dated April 16, 2013 and August 20, 2013 because of work injury on February 10, 2013;
24. An email from Monica Goss of Aetna Insurance dated September 25, 2014 stating that Dr. Stickler Office are advising them there are no medical records for Claimant, May 21, 2015 Transcript;
25. South Carolina Worker's Compensation Regulatory Procedures Advisory pertaining to the requirement of Form 14B dated January 25, 2012, May 21, 2015 Transcript;
26. Short-Term and Long-Term Disability Payments from Liberty Mutual Insurance, May 21, 2015 Transcript;
27. Claimant acknowledge that court was being bias and prejudice towards Amazon. Come DEDC, LLC and American Zurich Insurance, May 21, 2015 Transcript;
28. Claimant expressed his concerns to the court of a different standards applied to Amazon,Com DEDC, LLC and American Zurich Insurance, May 21, 2015 Transcript pp. 3-19; p.89
29. Commissioner Campbell II stated on p.108 lines 18-21, that South Worker's Compensation had all records because of subpoenas, May 21, 2015 Transcript;
30. Claimant asked the court where are all records since South Carolina Worker's Compensation Commission had been made aware to dispute records and bias of the court; May 21, 2015 Transcript;
31. A letter from Phadrea Butler, Amazon former employee dated May 18, 2015, May 21, 2015 Transcript;
32. Received a letter from Regina Mohammed mailed November 12, 2013 as witness account to claimant physical condition, an Amazon former employee dated, May 21, 2015 Transcript;
33. Disability Payments from Amazon.Com DEDC, LLC dated March, 2014 to April, 2014;
34. Long-Term Disability Payments from Aetna Insurance, May 21, 2015 Transcript;
35. An email from Attorney, Russell J. Goudelock on April 24, 2014 stating Claimant will not receive worker's compensation benefits; May 21, 2015 Transcript;

36. A letter from Amazon.Com DEDC, LLC requesting a RMI because of work injury and disability dated August 14, 2013, May 21, 2015 Transcript;
37. An email to Legal Counsel, Elizabeth Render dated September 23, 2013 regarding neglect of Amazon.Com DEDC, LLC and Sedgwick to provide medical care from Dr. Mahmoud Abu-Ata;
38. An email from Attorney Russell J. Goudelock on July 11, 2014 potentially scheduling another appointment other than Dr. Mahmoud Abu-Ata, May 21 2015 Transcript;
39. South Carolina Worker's Compensation Commission Law R67-611, May 21, 2015 Transcript;
40. Exhibit from South Carolina Worker's Compensation Commission Traumatic Brain Injury Training dated May 2, 2014;
41. Exhibit from South Carolina Brain Injury Leadership Council dated April 22, 2014;
42. S.C. Code Ann. 42-1-160(A); May 21, 2015 Transcript;
43. S.C. Code Ann. 42-9-10 (A,C);
44. S.C. Code Ann. 42-9-440; May 21, 2015 Transcript;

I certify that this designation contains no matter which is irrelevant to this appeal.

August 25 2016


/s/ Clarence B. Jenkins Jr
Clarence B. Jenkins Jr,
945 Wire Rd.
Neeses, South Carolina 29107
(803) 263-4514

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SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM SOUTH CAROLINA WORKER'S COMPENSATION
COMMISSION APPELLATE PANEL

Case No. 2016-000598

Clarence B. Jenkins Jr,

Appellant,

v.


Amazon.Com DEDC, LLC
and American Zurich
Insurance,

Respondents.

PROOF OF SERVICE

I certify that I have served the Initial Brief and Designation of Matter on South Carolina Worker's Compensation Commission by depositing a copy of it in the United States Mail, postage prepaid, on August 25, 2016, addressed to their attorney of record, Attorney Keith Roberts, P.O. Box 1715 Columbia, South Carolina 29202-1715.

August 25, 2016


s/ Clarence B. Jenkins Jr
Clarence B. Jenkins Jr,
945 Wire Rd.
Neeses, South Carolina 29107
(803) 263-4514
Attorney for Appellant

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In The Court of Appeals

APPEAL FROM SOUTH CAROLINA WORKER'S COMPENSATION
COMMISSION APPELLATE PANEL

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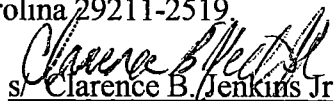
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PROOF OF SERVICE

I certify that I have served the Initial Brief and Designation of Matter on Amazon.Com DEDC, LLC and American Zurich Insurance by depositing a copy of it in the United States Mail, postage prepaid, on August 25, 2016, addressed to their attorney of record, Attorney, J. Russell Goudelock and Attorney, Helen F. Hiser, P.O. Box 12519 Columbia, South Carolina 29211-2519

August 25, 2016


s/ Clarence B. Jenkins Jr

Clarence B. Jenkins Jr,
945 Wire Rd.
Neeses, South Carolina 29107
(803) 263-4514
Attorney for Appellant

Clarence Fort Jr
945 Willie Rd
Newes, SC 29107

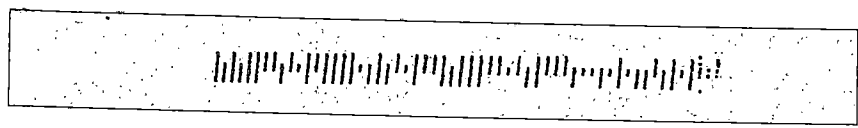


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