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SC Court of Appeals

**THE STATE OF SOUTH CAROLINA
In the Court of Appeals**

**APPEAL FROM THE SOUTH CAROLINA
Workers' Compensation Commission**

**WCC File No.: 1104105
Appellate Case No.: 2016-000597**

Kelly McPherson.....Claimant/Appellant,

v.

Charleston County School District.....Employer/Carrier/Respondent.

**THE SOUTH CAROLINA EDUCATION ASSOCIATION'S
MOTION FOR LEAVE TO FILE
AMICUS CURIAE BRIEF IN SUPPORT OF APPELLANT**

Pursuant to Rule 213, SCACR, The South Carolina Education Association moves for leave to file an *amicus curiae* brief in this action. The above matter addresses issues of substantial concern to The South Carolina Education Association (SCEA) and its members, composed of teachers, administrators and support staff employed in the public schools throughout the State of South Carolina. The SCEA and its members have a direct interest in the operation of the public school system, maintaining and enhancing employment and compensation of public educators, and advancing the interests of public education throughout the State.

As more fully stated in the brief filed herewith, The SCEA and its members respectfully assert that the General Assembly has established a school year of 190 days for purposes of determining public school teacher pay and benefits. Ignoring this legislation and the intent to

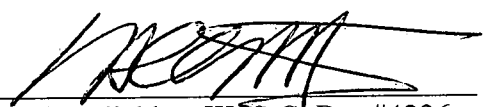
provide teachers adequate compensation, the ruling on appeal unlawfully dilutes workers' compensation benefits available to educators injured while performing their public duties.

For the foregoing reasons, The SCEA respectfully requests that the Court grant leave to present an *amicus curiae* brief. A copy of The SCEA's proposed *amicus curiae* brief is attached hereto, and is being filed with this motion in accordance with Rule 213, SCACR.

Respectfully submitted,

NICKLES LAW FIRM, LLC

By: _____


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Attorneys for *Amicus Curiae* The SCEA

October 25, 2016
Columbia, South Carolina

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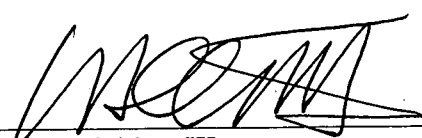
CERTIFICATE OF SERVICE

The undersigned hereby certifies that he has served the South Carolina Education Association's Motion for Leave to File Brief of *Amicus Curiae* in Support of Appellant and Brief by depositing a copy of same in the United States Mail, postage prepaid and addressed as follows:

Trip Riesen, Esquire
Fred W. Riesen, Jr.
Riesen Law Firm, LLP
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North Charleston, SC 29418

Stephen L. Brown, Esquire
Catherine H. Chase, Esquire
Matthew O. Riddle, Esquire
Young Clement Rivers, LLP
P.O. Box 993
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This 25 day of October, 2016.


W. Allen Nickles, III

NICKLES LAW FIRM, LLC

- ATTORNEYS AT LAW -

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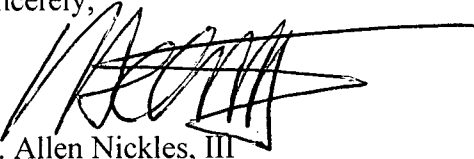
The Honorable Jenny Abbott Kitchings
Clerk of Court
South Carolina Court of Appeals
Post Office Box 11629
Columbia, South Carolina 29211

**Re: Kelly McPherson v. Charleston County School District
Appellate Case No.: 2016-000597**

Dear Ms. Kitchings:

Enclosed please find the original and copies of The South Carolina Education Association's Motion for Leave to File *Amicus Curiae* Brief in Support of Appellant, Brief of *Amicus Curiae* and Certificate of Service in the above-referenced matter, along with a check in the amount of \$25.00 for the filing fee. Please file the required copies and return the extra, clocked-in copies with the bearer. Thank you for your cooperation and assistance in this matter.

Sincerely,



W. Allen Nickles, III

WAN/pfb

Enclosures

cc: All counsel of record

File #: 16-106