

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM THE SOUTH CAROLINA WORKERS' COMPENSATION
COMMISSION

The Honorable T. Scott Beck, Commissioner

RECEIVED

JAN 13 2017

SC Court of Appeals

W.C.C. 0922546
Appellate Case No. 2012-211870

Richard A. Hartzell, Employee,.....Respondent,

v.

Palmetto Collision, LLC, Employer, and
The South Carolina Uninsured Employers' Fund,

Of whom Palmetto Collision, LLC, is the.....Appellant.

**MOTION TO FILE RETURN TO PETITION
FOR REHEARING OUT OF TIME**

By letter dated December 29, 2016, the Court of Appeals requested that the Appellant, Palmetto Collision, LLC, file a Return the Respondent's Petition for Rehearing. Unfortunately, with the holiday delay, this letter was inadvertently not docketed timely and the undersigned respectfully requested that the Court accept the attached Return to Petition out of time pursuant to Rule 240(e), SCACR.

Respectfully submitted,

Kirsten L. Barr

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Trask & Howell, L.L.C.
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(843) 881-4228
Attorneys for Appellant

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PROOF OF SERVICE

The undersigned hereby certifies that she served all parties with the Motion to File Return to Petition for Rehearing Out of Time by facsimile and by depositing a copy of the same in the United States Mail, first class postage prepaid on January 10, 2017, addressed to the parties of record, as follows:

Kerry W. Koon, Esq.
147 Wappoo Creek Drive, Suite 203
Charleston, SC 29412

Lisa Glover, Esq.
S.C. WC Uninsured Employer's Fund
P.O. Box 210039
Columbia, SC 29921-0039


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 KBARR@TRASK-HOWELL.COM
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January 10, 2017

Via Facsimile and Regular Mail

Attention: Lynn
 The Honorable Jenny Abbott Kitchings
 Clerk, South Carolina Court of Appeals
 P. O. Box 11629
 Columbia, SC 29211

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JAN 13 2017

SC Court of Appeals

Re: Richard A. Hartzell v. Palmetto Collision, LLC
 W.C.C. File No.: 0922546
 COA Case No.: 2012-211870
 Date of Accident: February 25, 2009

Dear Ms. Kitchings:

Enclosed herewith for filing, please find the original and six (6) copies of our Motion to File Return to Petition for Rehearing Out of Time and original Proof of Service of the same in the above-named matter. By a copy of this correspondence, I am serving the other counsel of record with a copy of our Motion. Also enclosed, please find our check in the amount of \$25.00 for the filing of this Motion.

Yours very truly,

Kirsten L. Barr

Kirsten L. Barr

KLB/cnd/les

Enc.

cc: Mike Stallings, Palmetto Collision, LLC
 Kerry W. Koon, Esq.(w/enc.) (fax/mail)
 Lisa Glover, Esq. (w/enc.) (fax/mail)

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