

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM S.C. WORKERS' COMPENSATION COMMISSION

Appellate Case No. 2016-000790

Ann Stevenson, Claimant,

Appellant,

v.

Wal-Mart Stores, Inc., Employer, and
New Hampshire Insurance Co., Carrier,

Respondents.

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MAR 24 2017

SC Court of Appeals

RESPONDENTS' RETURN TO APPELLANT'S MOTION TO EXTEND TIME
REGARDING RECORD ON APPEAL

In response to the Appellant's Motion To Extend Time for Filing the Record on Appeal, Respondents respectfully assert:

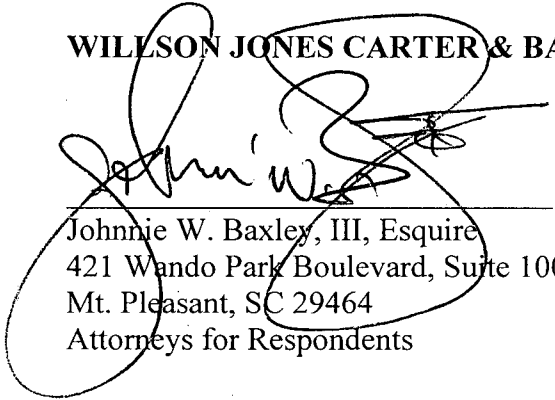
1. This case has been ongoing and involved in active litigation for a time period of nearly three years. Respondents request a timely adjudication of the appeal filed by Claimant.
2. Appellant has filed numerous motions to extend time during the pendency of this appeal. On October 26, 2016, this Court issued an order stating that "[n]o further extensions will be granted absent a showing of extraordinary circumstances." Respondents assert that there has been no such showing in the motion filed by Appellant, and no further time extensions should be allowed.
3. There are also factual inaccuracies contained in appellant's Motion. In Paragraph #2, Appellant claims that she does not have pictures that were attached to the deposition of Dr. Merritt. Those pictures were emailed by counsel for Respondents directly to Appellant on January 10, 2017. In

Paragraph #3, Appellant indicates that she is looking for the emails identified in Respondents' Designation of Matter #6. Those documents were emailed by counsel for the Respondents directly to the Appellant on January 11, 2017. In Paragraph #4, Appellant suggests that there is evidence that has been tampered with, is missing, and possibly not entered into the file. This statement is factually inaccurate. In Paragraphs #5 and #6, Appellant appears to be arguing whether certain items should be contained in the Record or whether they should be stricken; those issues have already been ruled upon by the Court in an Order dated March 2, 2017.

4. Although the Appellate Court Rules generally place the burden of preparing the Record on Appeal on the Appellant, due to these ongoing difficulties that Appellant has with putting together the Record, the Respondents volunteer to prepare the Record on Appeal. Counsel for the Respondents has a copy of all documents that would be necessary for the Record on Appeal, and that document can be assembled quickly and properly. If the Court so desires, the Respondents would undertake the time and expense of preparing the Record on Appeal in this matter to assure that it is done timely and properly.

Respectfully submitted,

WILLSON JONES CARTER & BAXLEY, P.A.



Johnnie W. Baxley, III, Esquire
421 Wando Park Boulevard, Suite 100
Mt. Pleasant, SC 29464
Attorneys for Respondents

Date: March 21, 2017

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CERTIFICATE OF SERVICE

I, Sylvia J. Hoff, do hereby certify that I am the Paralegal for Johnnie W. Baxley, III, Esquire, attorney for the defendants with **WILLSON JONES CARTER & BAXLEY, P.A.** in Mt. Pleasant, South Carolina, and that on the 21st day of March, 2017, I mailed the foregoing **RESPONDENTS' RETURN TO APPELLANT'S MOTION TO EXTEND TIME REGARDING RECORD ON APPEAL** to the following by placing a copy thereof in the United States mail, first class, proper postage affixed thereto:

Ann Stevenson
2261 Greenleaf Dr.
Conway, SC 29526

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


Sylvia J. Hoff

Paralegal to Johnnie W. Baxley, III, Esquire
WILLSON JONES CARTER & BAXLEY, P.A.
421 Wando Park Boulevard, Suite 100
Mount Pleasant, SC 29464

WILLSON JONES CARTER & BAXLEY, P.A.

ATTORNEYS AT LAW

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March 21, 2017

The Honorable Jenny Abbott Kitchings
1015 Sumter Street
P.O. Box 11629
Columbia, SC 29211

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SC Court of Appeals

Re: Ann Stevenson vs. Wal-Mart Stores, Inc.
WCC File No.: 1303465 DOI: 2/16/2013
Carrier: New Hampshire Insurance, Co. - Claim No.: 6815476
WJC&B File No.: 0170.02572
Appellate Case No.: 2016-00790

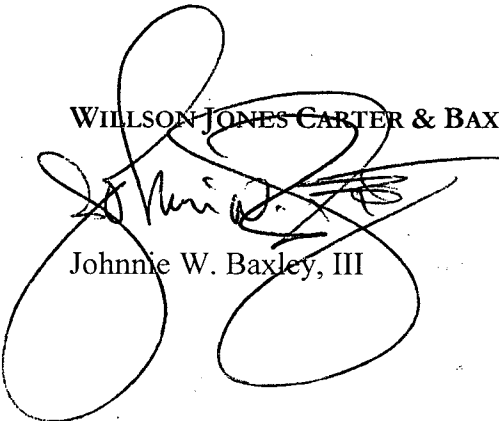
Dear Ms. Kitchings:

Please find enclosed the following documents (an original and six copies) for filing in regards to the above-referenced case.

1. Respondents' Return to Appellant's Motion to Extend Time regarding Record on Appeal; and
2. Proof of service.

With kindest regards,

WILLSON JONES CARTER & BAXLEY, P.A.


Johnnie W. Baxley, III

JWB/hsh

Enclosures

cc: Ann Stevenson
Barbara Cowan (via e-mail)

✓

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041110235341

hsh

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JENNY ABBOTT KITCHINGS,
SOUTH CAROLINA COURT OF APPEALS
P.O. BOX 11629
COLUMBIA, SC 29211