

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

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APPEAL FROM SOUTH CAROLINA
WORKERS' COMPENSATION COMMISSION

MAR 30 2017
SC Court of Appeals

W.C.C. File No.: 1303989

Clarence B. Jenkins, Employee,Appellant,

v.

Amazon.Com DEDC, LLC, Employer, and
American Zurich Ins. Co., Carrier, Respondents.

**REPLY TO APPELLANT'S
RETURN IN OPPOSITION TO
MOTION FOR CORRECTION OF
THE RECORD ON APPEAL**

Pursuant to Rules 210 and 240, SCACR, Respondents Amazon.Com DEDC, LLC and Zurich Ins. Co. reply to Appellant Clarence B. Jenkins' letter return, dated March 26, 2017, in opposition to their Motion for Correction of the Record on Appeal ("Motion"). Appellant appears to have mistaken Respondents' Motion. Respondents have moved, pursuant to the South Carolina Appellate Court Rules, for correction of the Record on Appeal, not Appellant's Designation of Matter.

Pursuant to Rule 210(a), SCACR, "[w]ithin thirty (30) days after service of the last brief, the appellant shall serve a copy of the Record on Appeal on each party who has served a brief." The Record on Appeal served by the appellant "shall include *all* matter designated to be included by *any* party under Rule 209," and "shall be numbered consecutively beginning with the index." Rule 210(c), SCACR (emphasis added). Finally, "Appellant ... shall certify that the Record on

Appeal contains *all* material proposed to be included by *any* of the parties and not any other material.” Rule 210(g), SCACR (emphasis added). Thus, as Appellant, Mr. Jenkins has the responsibility to compile and serve the Record on Appeal on all parties. He also has a responsibility to ensure that the Record on Appeal contains all material properly designated to be included by both parties. That is what Respondents’ Motion seeks. Again, Respondents offer that, if Appellant does not have in his possession and needs copies of any of the items Respondents have designated, they will be glad to provide them upon request.

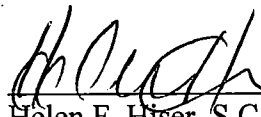
CONCLUSION

For the reasons stated herein and in their Motion, Respondents move this Court to order Appellant to correct the Record on Appeal as set forth in their Motion.

Respectfully submitted,

March 28, 2017

McANGUS GOUDELOCK & COURIE LLC



Helen F. Hiser, S.C. Bar No.: 76124
735 Johnnie Dodds Blvd., Suite 200 (29464)
P.O. Box 650007
Mount Pleasant, South Carolina 29465
(843) 576-2900

*Attorneys for Respondents Amazon.Com DEDC, LLC
and American Zurich Ins. Co.*

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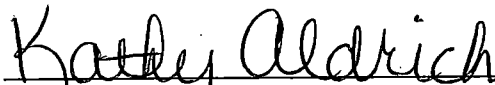
v.

Amazon.Com DEDC, LLC, Employer, and
Zurich Ins. Co., Carrier, Respondents.

PROOF OF SERVICE

I certify that on the 28th day of March 2017, I served the Respondents' **Reply to Appellant's Return in Opposition to Motion for Correction of the Record on Appeal** on Clarence B. Jenkins, *pro se*, by depositing a copy of it in the United States Mail, postage prepaid, addressed as follows:

Clarence B. Jenkins
945 Wire Road
Neeses, South Carolina 29107



Kathy Aldrich
Legal Assistant to Helen F. Hiser
McAngus, Goudelock & Courie LLC
735 Johnnie Dodds Blvd., Suite 200
P.O. Box 650007
Mount Pleasant, South Carolina 29465
(843) 576-2900

*Attorneys for Respondents Amazon.Com DEDC,
LLC and Zurich Ins. Co*



Reply To

HELEN F. HISER
Direct Dial: (843) 576-2930
helen.hiser@mgclaw.com

March 28, 2017

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SC Court of Appeals

Via U.S. Mail

The Honorable Jenny Abbott Kitchings
South Carolina Court of Appeals
1220 Senate Street
Columbia, SC 29201

RE: Clarence B. Jenkins v. Amazon.com and Insurance Company of the State
of Pennsylvania c/o Sedgwick Claims Management Services, Inc.
Date of Accident: February 10, 2013
WCC File No.: 1303989
Our File No.: 20194.13164
Claim No.: 30130262998
Appeal No.: 2016-000598

Dear Ms. Kitchings:

Enclosed please find the original and seven (7) copies of Respondents' Reply to Appellant's Return in Opposition to Motion for Correction of the Record on Appeal, and the original and one copy of the Proof of Service in the above-referenced matter. Please file the originals and return a clocked-in copy in the self-addressed, stamped envelope.

If you have any questions, please do not hesitate to contact me.

Yours truly,

McAngus Goudelock & Courie, LLC



Helen F. Hiser

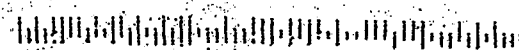
Enclosures

cc: Clarence B. Jenkins, *pro se*



mgc | **INSURANCE
DEFENSE**

POST OFFICE BOX 12519
MT. PLEASANT, SC 29465



20194.13164/HFH/kea
The Honorable Jenny Abbott Kitchings
South Carolina Court of Appeals
1220 Senate Street
Columbia, South Carolina 29201

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