

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

**RECEIVED**

APPEAL FROM SOUTH CAROLINA  
WORKERS' COMPENSATION COMMISSION

APR 12 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.

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

Pursuant to Rules 210 and 240, SCACR, Respondents Amazon.Com DEDC, LLC and Zurich Ins. Co. respond in opposition to Appellant Clarence B. Jenkins' "Appellant Motion to Dismiss Respondents' Correction for Record on Appeal," dated April 4, 2017 ("Motion to Dismiss"). First, it is unclear whether Appellant included the requisite filing fee, as the copy of the Motion to Dismiss served on Respondents does not contain a cover letter indicating whether or not the fee has been paid.

Second, Respondents again note that they have moved, pursuant to the South Carolina Appellate Court Rules, for correction of the Record on Appeal, and not for correction of Appellant's Designation of Matter. As previously pointed out, 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.” Rule 210(c), SCACR (emphasis added). Finally, the “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). As the Appellant, Mr. Jenkins has the responsibility to compile and serve the Record on Appeal on all parties. He also has the responsibility to ensure that the Record on Appeal contains “*all* matter designated to be included by *any* party under Rule 209.” Rule 210(c), SCACR (emphasis added). That is what Respondents’ Motion for Correction of the Record on Appeal, dated March 23, 2017 (“Motion to Correct”), properly seeks.

### CONCLUSION

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

Respectfully submitted,

April 10, 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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Clarence B. Jenkins, Employee, .....Appellant,

v.

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

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**PROOF OF SERVICE**

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I certify that on the 10th day of April 2017, I served the Respondents' **Return in Opposition to Appellant's Motion to Dismiss Respondents' 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 American Zurich Ins. Co.*

**mgc**

**Reply To**

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

RECEIVED

April 10, 2017

APR 12 2017

**Via U.S. Mail**

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

SC Court of Appeals

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' Return in Opposition to Appellant's Motion to Dismiss Respondents' 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  
COLUMBIA, SC 29211

**20194.13164/HFH/kea**  
The Honorable Jenny Abbott Kitchings  
South Carolina Court of Appeals  
P. o. Box 11629  
Columbia, South Carolina 29201

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