

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM RICHLAND COUNTY COURT OF COMMON PLEAS

Casey L. Manning, Circuit Court Judge

Case No. 2016-001382

RECEIVED

SEP 21 2017

SC Court of Appeals

Clarence B. Jenkins Jr,

Appellant,

v.

South Carolina Worker's Compensation
Commission

Respondent.

APPELLANT'S MOTION ADDITION

Appellant submit Motion Addition pertaining to the abuse and neglect of South Carolina Worker's Compensation Commission (Herein after SCWCC) as stated by South Carolina Code of Law 42-17-60. In a letter dated December 17, 2014 from Gary Cannon, Director of South Carolina Worker's Compensation Commission to Appellant affirms SC Code of Law 42-17-60, In case of an appeal from the decision of the commission on question of law, the appeal does not operate as a supersedeas and, after that time, the

employer is required to make weekly payments of compensation and to provide medical treatment ordered by the commission in accordance with the provision of this title. See attachment.

Appellant notice of appeal to South Carolina Court of Appeals involves alleged errors of law SCWCC R67-611, SC Code 42-17-50, SC Code 42-1-160 (A), SC Code 42-9-10 and etc. Appellant would like to submit this pertinent document pertaining to SC Code of Law 42-17-60 which was inadvertently overlooked but is a part of record for SCWCC. Amazon.Com DEDC LLC and American Zurich Ins. Co has never provided weekly compensation or medical treatment as stated by SC Code of Law 42-17-60 and affirmed by Gary Cannon, Director of SCWCC when a case is on appeal. SCWCC abused and neglected SC Code of Law 42-17-60. Respondent has been provided notification of SC 42-17-60.

WHEREFORE, Appellant request a public reprimand of Respondent, past and current weekly compensation and medical treatment which is required by SC 42-17-60 since case is on appeal.

September 20 2017



Clarence B. Jenkins Jr.
Clarence B. Jenkins Jr.
945 Wire Rd.
Neeses, South Carolina 29107
(803) 263-4514
Pro Se Appellant

State of South Carolina

1333 Main Street, 5th Floor
P.O. Box 1715
Columbia, S.C. 29202-1715



TEL: (803) 737-5700
www.wcc.sc.gov

Workers' Compensation Commission

December 17, 2014

Mr. Clarence Jenkins, Jr.
945 Wire Road
Neeses, SC 29107

Re: WCC file# 1303989

Dear Mr. Jenkins:

This is in response to your letter dated December 5, 2014 appealing reconsideration of the Decision and Order rendered by the Commission Appellate Panel on November 18, 2014.

The procedure to appeal Decision and Orders of the Appellate Panel is found in Section 42-17-60 of the South Carolina Code. The statute states: (entire statute is enclosed)

...either party to the dispute, within thirty days from the date of the award or within thirty days after receipt of notice to be sent by registered mail of the award, but not after, whichever is the longest, may appeal from the decision of the commission to the court of appeals.....

The Court of Appeals address is:

South Carolina Court of Appeals
1015 Sumter Street
Columbia, SC 29201
803-734-1890
www.judicial.state.sc.us

Sincerely,

Gary M. Cannon
Executive Director

SECTION 42-17-60. Conclusiveness of award; appeals; payment of compensation during appeal; accrual of interest.

The award of the commission, as provided in Section 42-17-40, if not reviewed in due time, or an award of the commission upon the review, as provided in Section 42-17-50, is conclusive and binding as to all questions of fact. However, either party to the dispute, within thirty days from the date of the award or within thirty days after receipt of notice to be sent by registered mail of the award, but not after, whichever is the longest, may appeal from the decision of the commission to the court of appeals. Notice of appeal must state the grounds of the appeal or the alleged errors of law. In case of an appeal from the decision of the commission on questions of law, the appeal does not operate as a supersedeas and, after that time, the employer is required to make weekly payments of compensation and to provide medical treatment ordered by the commission involved in the appeal or certification until the questions at issue have been fully determined in accordance with the provisions of this title. Interest accrues on an unpaid portion of the award at the legal rate of interest as established in Section 34-31-20(B) during the pendency of an appeal.

HISTORY: 1962 Code Section 72-356; 1952 Code Section 72-356; 1942 Code Section 7035-63; 1936 (39) 1231; 1988 Act No. 677, Section 3, eff June 27, 1988; 1990 Act No. 439, Section 1, eff April 24, 1990; 2007 Act No. 111, Pt 1, Section 30, eff July 1, 2007, applicable to injuries that occur on or after that date.