

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM THE SOUTH CAROLINA
WORKERS' COMPENSATION COMMISSION

Aisha Taylor, Commissioner
Susan S. Barden, Chair/Commissioner
Avery B. Wilkerson, Jr., Commissioner

RECEIVED

OCT 13 2017

SC Court of Appeals

WCC File No. 0917785

Paula Russell,

Appellant,

v.

Wal-Mart Stores, Inc.,

&

Illinois National Insurance Company,

Respondents.

NOTICE OF APPEAL

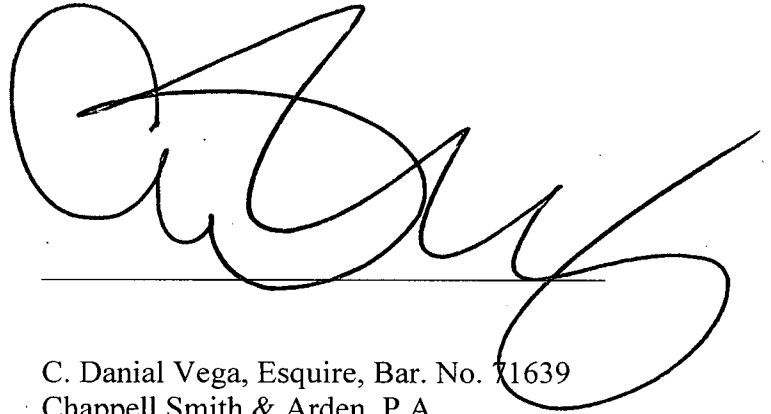
Paula Russell, through her attorney of record, C. Danial Vega, appeals the order of the Appellate Panel of the South Carolina Workers' Compensation Commission dated September 15, 2017. Appellant received the order September 14, 2017.

Pursuant to S.C. Code Ann. section 42-17-60, Appellant hereby petitions this Court for review based on the following grounds for appeal and alleged errors of law:

1. Did the Appellate Panel of the South Carolina Workers' Compensation Commission err in not following the specific instructions of the Court of Appeals as stated by the Court in its opinion *Russell v. Wal-Mart Stores Inc.*, 415 S.C. 395, 782 S.E.2d 753 (2016).
2. Did the Full Commission err in vacating the order of Commissioner Campbell issued March 20, 2017, when the Full Commission cited no reversible error in support of its decision to vacate the order.

3. Did the Appellate Panel of the South Carolina Workers' Compensation Commission err in expunging the record received upon remand from the Court of Appeals, by vacating the order of Commissioner Campbell issued March 20, 2017, and remanding the claim for a hearing de novo.
4. Did the Full Commission err in not finding defendants waived their right to an evidentiary hearing when defendants unequivocally waived their right to a hearing.

October 13, 2017



C. Danial Vega, Esquire, Bar. No. 71639
Chappell Smith & Arden, P.A.
2801 Devine Street, Suite 300
Columbia, South Carolina 29205
PH: (803) 929-3600
dvega@csa-law.com
**Attorney for Paula Russell,
Appellant**

Other Counsel of Record:

Johnnie W. Baxley
Willson Jones Carter & Baxley, P.A.
421 Wando Park Boulevard, Suite 100
Mount Pleasant, South Carolina 29464
PH: (843) 284-1080
Attorney for Respondents

The State of South Carolina
In The Court of Appeals

Appeal from the South Carolina
Workers' Compensation Commission

WCC No. 1002408

Paula Russell,

Claimant/Appellant,

v.

Wal-Mart Stores, Inc.

Employer,

and

Illinois National Insurance Company,

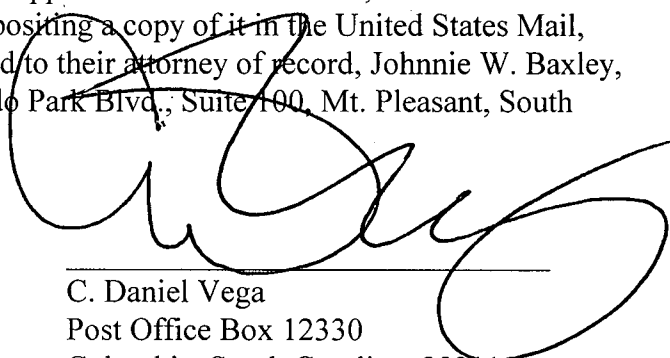
Carrier,

Defendants/Respondents,

PROOF OF SERVICE

I certify that I have served the Notice of Appeal on Wal-Mart Stores, and Illinois National Insurance Co., Defendants/Respondents, by depositing a copy of it in the United States Mail, postage prepaid, on October 13, 2017, addressed to their attorney of record, Johnnie W. Baxley, III, Willson, Jones, Carter & Baxley, 421 Wando Park Blvd., Suite 100, Mt. Pleasant, South Carolina 29464.

October 13, 2017



C. Daniel Vega
Post Office Box 12330
Columbia, South Carolina 29211
(803) 929-360
Attorney for Appellant

The State of South Carolina
In The Court of Appeals

Appeal from the South Carolina
Workers' Compensation Commission

WCC No. 1002408

RECEIVED

OCT 13 2017

SC Court of Appeals

Paula Russell,

Claimant/Appellant,

v.

Wal-Mart Stores, Inc.

Employer,

and

Illinois National Insurance Company,

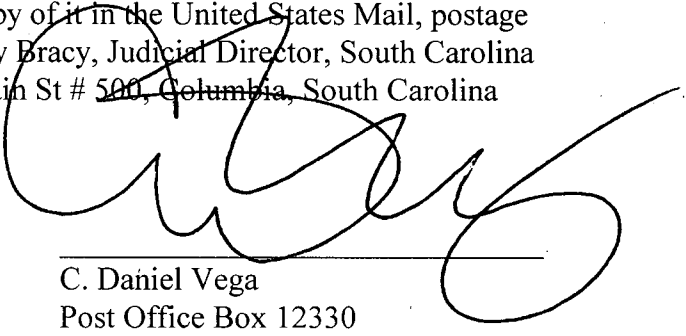
Carrier,

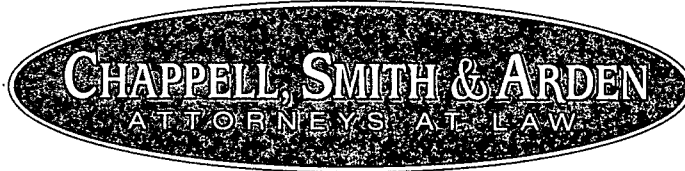
Defendants/Respondents,

PROOF OF SERVICE

I certify that I have served the Notice of Appeal on the South Carolina Workers Compensation Commission, by depositing a copy of it in the United States Mail, postage prepaid, on October 13, 2017, addressed to Amy Bracy, Judicial Director, South Carolina Workers' Compensation Commission, 1333 Main St # 500, Columbia, South Carolina 29201.

October 13, 2017


C. Daniel Vega
Post Office Box 12330
Columbia, South Carolina 29211
(803) 929-360
Attorney for Appellant



Licensed to practice
in South Carolina,
North Carolina,
Georgia and the
District of Columbia

PO Box 12330
Columbia, SC 29211
803.929.3600
Fax 803.929.3604
800.531.9780

www.CSA-LAW.com

October 13, 2017

RECEIVED

OCT 13 2017

SC Court of Appeals

Amy Bracy, Judicial Director
South Carolina Workers' Compensation Commission
1333 Main St # 500
Columbia, South Carolina 29201

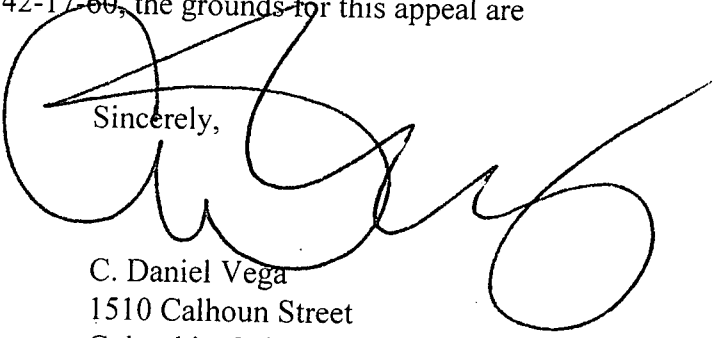
Johnnie W. Baxley, III
421 Wando Park Boulevard, Suite 100
Mount Pleasant, South Carolina 29464
(843) 284-1080
Attorney for Respondent

RE: Paula Russell, Appellant, v. Walmart Associates Incorporated and Illinois
National Insurance Company, Respondents, WCC File No: 0917785

Dear All:

Enclosed please find one (1) copy of the Notice of Appeal to the Court of Appeals with Proof of Service in the above-captioned workers' compensation claim. Pursuant to S.C. Code Ann. § 42-17-60, the grounds for this appeal are included.

Sincerely,



C. Daniel Vega
1510 Calhoun Street
Columbia, S.C. 29201
(803) 929-3600
Attorney for Appellant

Enclosure

CHAPPELL, SMITH & ARDEN
ATTORNEYS AT LAW

Licensed to practice
in South Carolina,
North Carolina,
Georgia and the
District of Columbia

October 13, 2017

PO Box 12330
Columbia, SC 29211
803.929.3600
Fax 803.929.3604
800.531.9780

www.CSA-LAW.com

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

RE: Paula Russell, Appellant, v. Wal-Mart Stores, Inc., Respondent,
WCC File No. 0917785

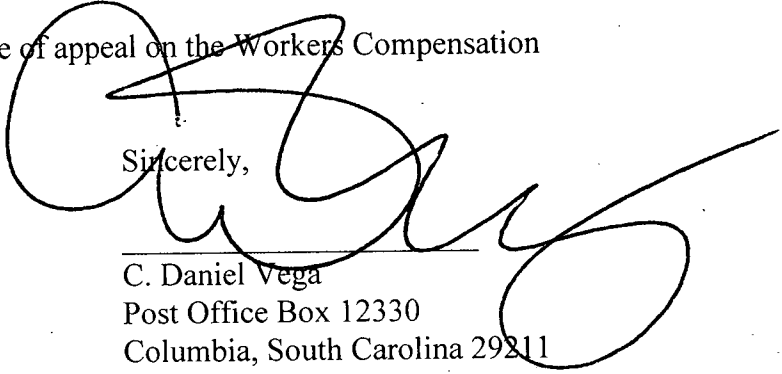
RECEIVED
OCT 13 2017
SC Court of Appeals

Dear Ms. Kitchings:

Enclosed for filing is a Notice of Appeal to the Court of Appeals. Also enclosed are the following:

- (1) Proof of service of the notice of appeal on the defendant/respondents.
- (2) A copy of the order which is to be challenged on appeal.
- (3) A filing fee of \$100.00.
- (4) Proof of service of the notice of appeal on the Workers Compensation Commission.

Sincerely,


C. Daniel Vega
Post Office Box 12330
Columbia, South Carolina 29211
(803) 929-3600
Attorney for Appellant

cc: Johnnie W. Baxley, III
421 Wando Park Blvd., Suite 100
Mt. Pleasant, South Carolina 29464
(843) 284-1082
Attorney for Respondent