



The South Carolina Court of Appeals

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November 30, 2017

Ms. Kelsey Jan Brudvig, Esquire
1330 Lady Street
6Th Floor
Columbia SC 29201

Re: Terry McCall #233236 v. Trojan Labor (1)
Appellate Case No. 2016-001457

Dear Counsel:

On November 8, 2017, this court requested Respondents provide a copy of the Workers' Compensation Commission's order dismissing Appellant's appeal. In response, Respondents filed a letter, which explained that the appeal to the Commission was dismissed without a formal order due to Appellant's failure to pay the filing fee. Respondents' letter of January 11, 2017, however, asserted that the dismissal was erroneously based on the timeliness of Appellant's appeal to the Commission and suggested this court remand to the Commission. Specifically, Respondents stated,

It appears the Commission likely committed a clerical error by dating the Form 30 as March 11, which was the date of receipt by the Commission. The Commission should have accepted Appellant's Form 30 as filed on March 8 according to the certificate of service. Because Appellant's Form 30 was timely, the Commission should have granted his Form 32, which was his request to waive the filing fees associated with the appeal.

Because Respondents' letters seem to conflict as to the basis of the Commission's dismissal, Respondents shall submit a response clarifying their position within thirty days. The parties may also supplement the record with any documents that indicate the reasoning behind the Commission's dismissal.

Very truly yours,

V. Clavin Allen, Deputy

CLERK

cc: Terry McCall
Amy Bracy