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JAN 31 2018

SC Court of Appeals

January 29, 2018

Carmelo B. Sammataro

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Seeahray Brailsford
322 Rice Road
Newberry, SC 29108

Re: Seeahray Brailsford v. Piggly Wiggly Carolina Company, Inc. and Constitution State Service Company as TPA for Greenbax Enterprise Inc.
Appellate Case No.: 2017-001027
W.C.C. File No.: 1019167
File No.: 5881.130

Dear Ms. Brailsford:

We are in receipt of your packet postmarked January 22, 2018, containing what we understand to be the Amended Record on Appeal in the above-referenced matter. After reviewing the materials, I would like to bring your attention to several issues that require the preparation and service of a second Amended Record on Appeal that complies with Rules 210 and 267 of the South Carolina Appellate Court Rules ("SCACR"). These deficiencies are in addition to those previously identified by the Court in its letter to you dated January 25, 2018. I have attempted to summarize the deficiencies noted in the current Amended Record on Appeal as follows:

1. The index does not correctly identify the documents included in the Amended Record on Appeal;
2. The Full Commission order appears to be a *proposed* order that is missing all signatures on the final page. It should be removed from the Amended Record on Appeal and replaced by a copy of the fully executed order; and
3. Documents identified in Respondents' Designation of Matter as numbers 1-10 and 12 were not included in the Amended Record on Appeal.

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In addition, Respondents respectfully object to your inclusion of the following documents in the Amended Record on Appeal on the basis that these materials were not previously submitted to or considered by the single commissioner or the Full Commission. Rule 210(c), SCACR, provides that “[t]he Record shall not, however, include matter which was not presented to the lower court or tribunal.” In our review, the following materials were not presented to either the single commission or the Full Commission and, therefore, must be removed from the Amended Record on Appeal:

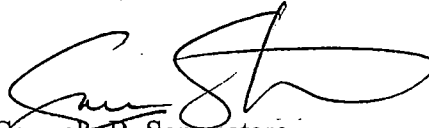
1. Article titled “OrthoInfo - Rotator Cuff Tears” [6 pages];
2. Article titled “What is Primary Biliary Cirrhosis (PBC)” [2 pages];
3. Article titled “Autoimmune Diseases: Overview” [2 pages]; and
4. Article titled “Depression – older adults” [4 pages].

We ask that you serve a second Amended Record on Appeal that includes materials designated by Respondents and that omits the materials to which we object within 14 days of the date of this letter. Barring timely receipt of a second Amended Record on Appeal, we will file the appropriate motion with the South Carolina Court of Appeals. Thank you for your attention to this matter.

With kind regards, I am

Very truly yours,

TURNER, PADGET, GRAHAM & LANEY, P.A.



Carmelo B. Sammataro

CBS/tj

cc: The Honorable Jenny Abbott Kitchings, Clerk of Court

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The Honorable Jenny Abbott Kitchings, Clerk
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