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SC Court of Appeals

THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

APPEAL FROM THE SOUTH CAROLINA  
WORKERS' COMPENSATION COMMISSION  
APPELLATE PANEL

Appellate Case No. 2017-001027  
W.C.C. File No. 1019167

Seeahray Brailsford, Employee, Claimant,.....Appellant,

v.

Piggly Wiggly Carolina Company, Inc., Employer, and Constitution  
State Service Company as TPA for Greenbax Enterprise Inc., Carrier,..... Respondents.

**MOTION TO SUPPLEMENT THE RECORD ON APPEAL  
AND ENLARGE TIME**

Respondents respectfully move for an Order allowing them to file and serve a Supplemental Record on Appeal pursuant to Rule 212(b) and, additionally, granting an enlargement of time of 20 days from the date of the Order granting this motion to file and serve the Supplemental Record on Appeal and Respondents' Final Brief. In support of the motion, Respondents state:

1. Appellant *pro se* filed the Record with this Court on December 27, 2017.
2. Following receipt and review of the Record, Respondents noted deficiencies that prevented them from filing a Final Brief pursuant to Rule 211, SCACR. Undersigned counsel wrote to Appellant on December 28, 2017, summarizing these deficiencies and objections, most notably Appellant's failure to include matters Respondents designated for inclusion in the

Record on Appeal, and requested Appellant serve an amended Record.

3. In its January 5, 2018 letter to Appellant, the Court instructed Appellant to file an amended Record correcting certain deficiencies.

4. Appellant filed an amended Record on January 23, 2018.

5. In its January 25, 2018 letter to Appellant, the Court again instructed Appellant to file an amended Record correcting certain deficiencies.

6. Following receipt and review of the January 23, 2018 amended Record, undersigned counsel wrote a second detailed letter to Appellant dated January 29, 2018, once again requesting that Appellant serve an amended Record that includes their designated materials.

7. Respondents received Appellant's second amended Record on February 6, 2018. The second amended Record omits documents listed in Respondents' Designation of Matter.

8. In light of Appellant's failure to correct the Record and include matters designated by Respondents, Respondents hereby seek leave of the Court to file a Supplemental Record that will enable them to file and serve a Final Brief as required pursuant to Rule 211(b)(1), SCACR.

9. In an effort to establish a corrected record, Respondents submit the attached "Appendix A" pursuant to Rule 212(c), SCACR. Appendix A lists the documents designated by Respondents in their Designation of Matter, but omitted by Appellant, that will comprise the Supplemental Record on Appeal.

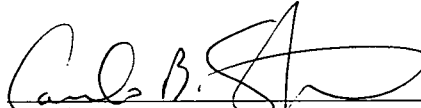
10. Respondents have served the index for "Appendix A" on Appellant in compliance with Rule 212(c), SCACR.

Wherefore, Respondents respectfully move for an Order permitting Respondents to file and serve a Supplemental Record on Appeal that includes all documents listed in Appendix A and Respondents' Designation of Matter pursuant to Rule 212(b), SCACR, and granting an enlargement of time to file and serve the Supplemental Record and Respondents' Final Brief.

Respectfully submitted,

February 7, 2018

By:



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Michael E. Chase (SC Bar No. 15230)  
Carmelo B. Sammataro (SC Bar No. 69746)  
TURNER PADGET GRAHAM & LANEY, P.A.  
Post Office Box 1473  
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ATTORNEYS FOR RESPONDENTS

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APPENDIX A

**I. ORDERS AND JUDGMENTS**

October 11, 2016 Decision and Order of the single commissioner ..... Supp. R. pp. 1-9  
March 29, 2017 Decision and Order of the Full Commission..... Supp. R. pp. 10-18

**II. PLEADINGS**

October 22, 2014 Form 50 - Employee's Request for Hearing ..... Supp. R. pp. 19-20  
November 21, 2014 Form 51 - Employer's Answer to Request  
for Hearing ..... Supp. R. pp. 21-22  
January 26, 2015 Form 21 - Employer's Request for Hearing ..... Supp. R. p. 23  
April 5, 2016 Form 50 - Employee's Request for Hearing..... Supp. R. p. 24  
April 20, 2016 Form 51 - Employer's Answer to Request for Hearing ..... Supp. R. p. 25  
October 14, 2016 Form 30 - Request for Commission Review..... Supp. R. pp. 26-34

**III. TRANSCRIPTS**

Transcript of December 10, 2014 deposition of Seahray Brailsford .... Supp. R. pp. 35-66  
Transcript of August 1, 2016 hearing ..... Supp. R. pp. 67-88

**IV. EXHIBITS AND OTHER MATERIALS**

Respondents' APA submissions (pp. 0025-0029, 0056-0061, 0181-0184,  
0189-0192, 0229-0230, and 0235-0237) ..... Supp. R. pp. 89-115

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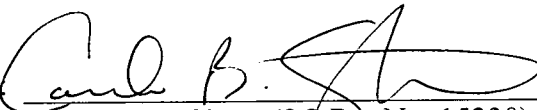
**PROOF OF SERVICE**

I certify this 7th day of February 2018 that I have served copies of the MOTION TO  
SUPPLEMENT THE RECORD ON APPEAL AND ENLARGE TIME upon Appellant *pro se*,  
by mailing same, postage prepaid in the United States mail, addressed to the following:

Seeahray Brailsford  
322 Rice Road  
Newberry, SC 29108  
APPELLANT, *PRO SE*

February 7, 2018

By



Michael E. Chase (SC Bar No. 15230)  
Carmelo B. Sammataro (SC Bar No. 69746)  
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Writer's Direct Dial: (803) 227-4253

Writer's Direct Fax: (803) 400-1532

February 7, 2018

**VIA HAND DELIVERY:**

The Honorable Jenny Abbott Kitchings, Clerk  
South Carolina Court of Appeals  
1220 Senate Street  
Columbia, SC 29201

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SC Court of Appeals

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

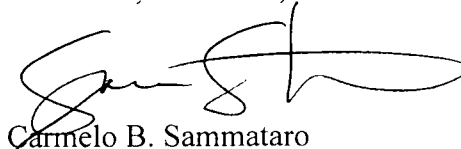
Dear Ms. Kitchings:

Enclosed please find the original and seven copies of Respondents' Motion To Supplement The Record On Appeal And Enlarge Time regarding the above-referenced matter. Also enclosed are the original and one copy of the Proof of Service and our check for the filing fee. Please file the original filings and return clocked copies to me via our office courier. Thank you for your assistance with this matter, and please contact me if you have any questions.

With kind regards, I am

Very truly yours,

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



Carmelo B. Sammataro

CBS/tj

Enclosures

cc: Seeahray Brailsford, Appellant *pro se* (w/enc.)