

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

RECEIVED

MAR 01 2018

SC Court of Appeals

APPEAL FROM SOUTH CAROLINA
WORKERS' COMPENSATION COMMISSION

W.C.C. File No.: 1303989

Clarence B. Jenkins, Employee,Appellant,

v.

Amazon.Com DEDC, LLC, Employer, and
American Zurich Ins. Co., Carrier, Respondents.

**RETURN IN OPPOSITION TO
APPELLANT'S MOTION TO PROCEED
WITHOUT PAYING FILING FEES**

Pursuant to Rule 240, SCACR, Respondents Amazon.Com DEDC, LLC and Zurich Ins. Co. file this Return in Opposition to Appellant Clarence B. Jenkins Jr.'s February 24, 2018 "Appellant's Motion to Proceed Without Paying Filing Fees" ("Motion"). Appellant has failed to submit the required \$25.00 motions filing fee with his Motion and, as a result, this Court should deny his Motion.

With respect to the substance of Appellant's Motion, Appellant has provided no basis to allow him to proceed *in forma pauperis*. His unsubstantiated allegation that he is "indigent" is insufficient to support his request. In addition, every time Appellant files a motion, Respondents incur costs in reviewing and responding to the same. If this Court were to allow Appellant to proceed *in forma pauperis*, there would be no end to the motions filed by Appellant. Furthermore, Claimant has missed numerous deadlines set by this Court, choosing instead to file

multiple and meritless motions. Claimant's continual failure to comply with this Court's Orders serves as grounds to dismiss his appeal. Rule 260, SCACR.

CONCLUSION

For the reasons stated herein, Respondents respectfully request that this Court deny Appellant's Motion and dismiss his appeal.

Respectfully submitted,

February 27, 2018

McANGUS GOUDELOCK & COURIE LLC

Helen Hiser by Amy Jenkins

Helen F. Hiser, S.C. Bar No.: 76124
735 Johnnie Dodds Blvd., Suite 200 (29464)
P.O. Box 650007
Mount Pleasant, South Carolina 29465
(843) 576-2900

*Attorneys for Respondents Amazon.Com DEDC,
LLC and American Zurich Ins. Co.*

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM SOUTH CAROLINA
WORKERS' COMPENSATION COMMISSION

W.C.C. File No.: 1303989

RECEIVED
MAR 01 2018
SC Court of Appeals

Clarence B. Jenkins, Employee,Appellant,


v.

Amazon.Com DEDC, LLC, Employer, and
Zurich Ins. Co., Carrier, Respondents.

PROOF OF SERVICE

I certify that on the 27th day of February 2018, I served the Respondents' **Return in Opposition to Appellant's Motion to Proceed Without Paying Filing Fees** on Clarence B. Jenkins, *pro se*, by depositing a copy of it in the United States Mail, postage prepaid, addressed as follows:

Clarence B. Jenkins
945 Wire Road
Neeses, South Carolina 29107



Kathy Aldrich
Legal Assistant to Helen F. Hiser
McAngus, Goudelock & Courie LLC
735 Johnnie Dodds Blvd., Suite 200
P.O. Box 650007
Mount Pleasant, South Carolina 29465
(843) 576-2900

*Attorneys for Respondents Amazon.Com DEDC,
LLC and Zurich Ins. Co*

Reply To

HELEN F. HISER
Direct Dial: (843) 576-2930
helen.hiser@mgclaw.com

February 27, 2018

RECEIVED

MAR 01 2018

SC Court of Appeals

Via U.S. Mail

The Honorable Jenny Abbott Kitchings
South Carolina Court of Appeals
P.O. Box 11629
Columbia, SC 29211

RE: Clarence B. Jenkins v. Amazon.com and Insurance Company of the State
of Pennsylvania c/o Sedgwick Claims Management Services, Inc.
Date of Accident: February 10, 2013
WCC File No.: 1303989
Our File No.: 20194.13164
Claim No.: 30130262998
Appeal No.: 2016-000598

Dear Ms. Kitchings:

Enclosed please find the original and seven (7) copies of Respondents' Return in Opposition to Appellant's Motion to Proceed Without Paying Filing Fees, and the original and one copy of the Proof of Service in the above-referenced matter. Please file the originals and return a clocked-in copy in the self-addressed, stamped envelope.

If you have any questions, please do not hesitate to contact me.

Yours truly,

McAngus Goudelock & Courie, LLC

Helen Hiser by Amy Jenkins
Helen F. Hiser

Enclosures

cc: Clarence B. Jenkins, *pro se*



mgc | INSURANCE
DEFENSE

POST OFFICE BOX 12519
MT. PLEASANT, SC 29485

RECEIVED

MAR 01 2018

SC Court of Appeals

20194.13164/HFH/kea
The Honorable Jenny Abbott Kitchings
South Carolina Court of Appeals
P.O. Box 11629
Columbia, South Carolina 29211

