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THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM THE SOUTH CAROLINA
WORKERS' COMPENSATION COMMISSION

RECEIVED

JUL 11 2018

SC Court of Appeals

WCC File No. 1116698

Ex Parte Robert Horne, as personal
representative of the Estate of Gus A. King,
and Laura King Appellants.

In re Gus A. King, Appellant,

v.

Pierside Boatworks, Employer,
and PA Manufacturers Assn. Ins. Co., Carrier, Respondents.

JOINT NOTICE OF APPEAL

Robert Horne, as personal representative of the Estate of Gus A. King, Laura King (Mr. King's widow), and Gus A. King (the deceased claimant) appeal the administrative order of South Carolina Workers Compensation Commission dated June 11, 2018. Appellants received written notice of the entry of this order that same date.

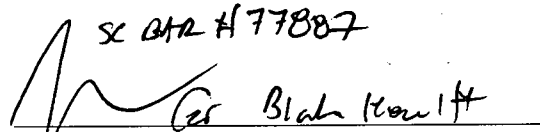
All appellants also appeal the order of Commissioner Susan Barden dated and served May 1, 2018. Further, appellants Horne and Laura King additionally appeal the order of Commissioner Barden dated and served February 13, 2018.

Note that this appeal may be premature. All or part of this matter may still be pending at the commission. Following Commissioner Barden's May 1 order, appellants

timely sought review by the commission's appellate panel. They also sought review of Commissioner Barden's February order denying Mr. Horne's motion to intervene in the case. The June order dismissed "the request for commission review" and explained the appeal of the February order (denying the motion to intervene) was untimely.

Appellants have written the commission inquiring about whether all matters have been dismissed and whether the appellate panel will not review interlocutory decisions affecting a final judgment at the same time the panel reviews a final judgment. Appellants were informed an answer would be provided. This appeal is filed in the event the commission replies by letter indicating all matters have been dismissed. In the event matters remain pending at the commission, the proper course would be to dismiss this appeal without prejudice. Compare *Hudson v. Hudson*, 290 S.C. 215, 216, 349 S.E.2d 341, 342 (1986) (appeal should be dismissed without prejudice when post-trial motions are pending).

Respectfully submitted,

SC BAR # 77887

Blake A. Hewitt #

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and Laura King

July 11, 2018

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Other Counsel of Record:

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Attorney for Respondents

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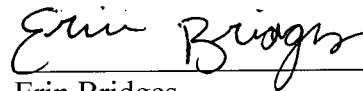
Pierside Boatworks, Employer,
and PA Manufacturers Assn. Ins. Co., Carrier, Respondents.

PROOF OF SERVICE

The undersigned hereby certifies that on the date indicated below she served
counsel for the Respondents and the SC Workers' Compensation Commission with a
copy of the *Notice of Appeal* by mailing copies of the same by United States Mail with
first class postage prepaid to the following addresses:

R. Daniel Addison
Hedrick Gardner Kincheloe & Garofalo, LLP
PO Box 11267
Columbia, SC 29211

SC Workers' Compensation Commission
Amy Bracy, Judicial Director
Post Office Box 1715
Columbia, South Carolina 29202-1715



Erin Bridges

July 11, 2018

July 11, 2018

VIA HAND DELIVERY

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

RE: Gus A. King v. Pierside Boatworks
WCC No. 1116698

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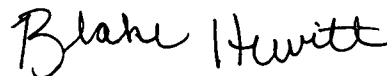
Dear Ms. Kitchings:

Please find enclosed for filing the original and one (1) copy of a Notice of Appeal in this case. I have also enclosed the following:

- 1.) Proof of service of the notice of appeal on counsel of record and the SC Workers' Compensation Commission;
- 2.) A copy of the orders which are to be challenged on appeal;
- 3.) A filing fee of \$100.00.
- 4.) A copy of my letter to the Commission inquiring about whether any part of this case remains pending at the Commission.

Please return the additional filed copy to me via our courier. Thank you in advance for your attention to this matter.

Sincerely,



Blake A. Hewitt *by emb w/ express permission*
Bluestein Thompson Sullivan, LLC

BAH:emb
Enclosures

cc: J. Gary Christmas, Esquire
R. Daniel Addison, Esquire

Paul Doolittle, Esquire
Amy Bracy, SC WCC Judicial Director