

MOTION FOR LEAVE TO FILE SECOND AMENDED DESIGNATION OF MATTER TO BE INCLUDED IN THE RECORD ON APPEAL

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM SOUTH CAROLINA WORKERS COMPENSATION

Full Commission

WCC File No. 1200349
Appellate Case No. 2018-000133

RECEIVED
AUG 10 2018
SC Court of Appeals

James Provins, Employee/Deceased,
Debra Provins, Alleged Dependents/Claimants,

Appellants,

v.

Spirit Construction services, Inc., Employer,
And Insurance Company of the State of PA, Carrier,

Respondents

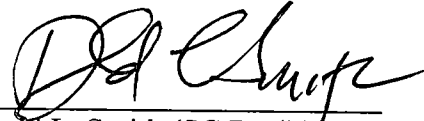
MOTION FOR LEAVE TO FILE SECOND AMENDED DESIGNATION OF MATTER TO BE INCLUDED IN THE RECORD ON APPEAL

On June 12, 2018, Appellants filed his Amended Designation of Matter on the above-mentioned case, which was approved by this Honorable Court in its Order, dated June 29, 2018.

Counsels for both parties worked together in gathering the documents for the Record on Appeal. Both parties decided to include relevant documents that were omitted in the previous Designation of Matters, dated June 4 and June 12, 2018, respectively. To conform to the documents cited by both parties in their respective briefs, Appellant respectfully requests this Honorable Court to allow them to submit this Second Amended Designation of Matter. Counsel for Respondents has been consulted and has expressed no objection to this motion. No party will be prejudiced by this Amendment since the same is being made to conform to the evidence, and the materials have already been provided to them during the course of the appeal.

WHEREFORE, Appellants respectfully move for this Honorable Court to allow them to amend their previously filed Designation of Matter to be Included in his Record on Appeal.

August 7, 2018



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Attorney for Appellants

**FORM 7
PROOF OF SERVICE**

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM SOUTH CAROLINA WORKERS COMPENSATION

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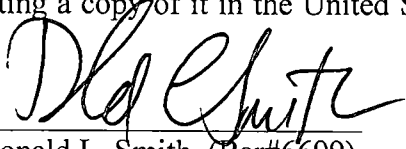
Spirit Construction services, Inc., Employer,
And Insurance Company of the State of PA, Carrier,

Respondents.

PROOF OF SERVICE

I certify that I have served a copy of Appellant's Motion for Leave to File Second Amended Designation of Matter, Second Amended Designation of Matter to be Included in the Record on Appeal, Appellant's Motion to Reduce the Number of Copies of Record on Appeal, Final Brief and Final Reply Brief, and Proof of Service for same upon The Honorable Jenny Abbott Kitchings, Clerk of Court South Carolina Court of Appeals, at PO Box 11629, Columbia SC 29211, and the Respondents, by and through their counsel of record, Mr. J. South Lewis, II, Esquire at 872 South Pleasantburg Drive, Greenville, SC 29607, by depositing a copy of it in the United States Mail, postage prepaid, on August 7, 2018.

August 7, 2018
Anderson, South Carolina


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Attorney for Appellants

FORM 8
LETTER TO THE APPEALS COURT CLERK

August 7, 2018

The Honorable Jenny Abbott Kitchings
Clerk of Court South Carolina Court of Appeals
Post Office Box 11629
Columbia SC 29211

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SC Court of Appeals

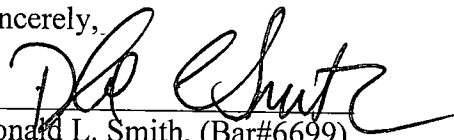
**RE: James Provins and Debra Provins v. Spirit Construction and Insurance
Company of the State of PA**

Dear Honorable Kitchings:

Please find enclosed the following materials for filing:

- (1) Appellant's Motion for Leave to File Second Amended Designation of Matter;
- (2) Second Amended Designation of Matter to be Included in the Record on Appeal;
- (3) Appellant's Motion to Reduce Number of Copies of Record on Appeal, Final Brief and Reply Brief;
- (4) A check amounting to \$50.00 as motion fee; and,
- (5) Proof of Service for same.

Sincerely,



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Attorney for Appellants

cc:

Mr. J. South Lewis, Esquire



Attorney Office of Donald Smith
122 N. Main Street,
Anderson, SC 29621

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SC Court of Appeals

The Honorable Jenny Abbott Kitchings
Clerk of Court South Carolina Court of Appeals
PO Box 11629
Columbia SC 29211