

FORM 14
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.

SECOND AMENDED DESIGNATION OF MATTER
TO BE INCLUDED IN THE RECORD ON APPEAL

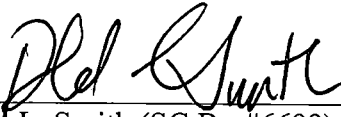
Appellant hereby proposes to amend his previously filed Designation of Matter to the following:

1. APA Submissions and Hearing Exhibits, pages 1-696;
2. Transcript of Compensability Hearing, August 14, 2012 (mistakenly dated September 14, 2012);
3. Decision and Order of Commissioner Gene McCaskill dated September 7, 2012;
4. Appellate Panel Decision and Order, Full Commission, dated February 27, 2013;
5. Appellant's Motion to Compel Treatment, filed March 14, 2014;
6. Respondents' Motion to Compel and Exhibits, dated March 25, 2014;
7. Respondents' Form 58 dated January 12, 2015;
8. Respondents' Form 58 dated July 15, 2015;
9. Respondents' Form 58 dated July 28, 2015;
10. Respondents' Form 58 dated October 9, 2015;
11. Respondents' Form 58 dated October 20, 2015;
12. Respondents' Form 58 with Addendum dated July 15, 2016;
13. Respondents' Form 58 with Addendum dated November 23, 2016;

14. Appellant's Amended Pre-hearing Brief dated November 25, 2016;
15. Respondents' Form 58 with Addendum dated December 2, 2016;
16. Transcript of Single Commissioner Hearing under Commissioner R. Michael Campbell, II, dated December 5, 2016;
17. Memorandum of Employee/Appellant (Appellant's Initial Brief), filed July 24, 2017;
18. Brief of Defendants/Respondents dated August 11, 2017;
19. Reply Brief of Employee/Appellant dated August 21, 2017;
20. Decision and Order of Commissioner R. Michael Campbell filed March 6, 2017;
21. Appellants' Form 30 with Addendum dated March 20, 2017;
22. Administrative Order dismissing Appellants' Request for Commission Review dated May 26, 2017;
23. Appellants' Motion to Reinstate dated May 31, 2017;
24. Respondents' Response to Appellants' Motion to Reinstate dated June 9, 2017;
25. Transcript of Full Commission Hearing dated November 14, 2017;
26. Appellate Decision and Order by Full Commission filed January 11, 2018;
27. Appellant's Notice of Appeal dated January 26, 2018;

I certify that this designation contains no matter which is irrelevant to this appeal.

Anderson, South Carolina
Date: August 7, 2018



Donald L. Smith (SC Bar#6699)
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Facsimile: (864) 642-9285
attorneydonaldsmith@gmail.com
Attorney for Appellants

**FORM 7
PROOF OF SERVICE**

THE STATE OF SOUTH CAROLINA
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APPEAL FROM SOUTH CAROLINA WORKERS COMPENSATION

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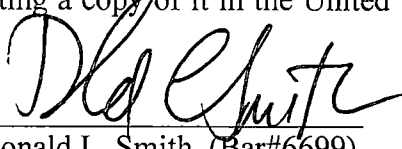
Spirit Construction services, Inc., Employer,
And Insurance Company of the State of PA, Carrier,

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

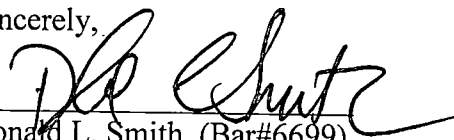
**RE: James Provins and Debra Provins v. Spirit Construction and Insurance
Company of the State of PA**

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