

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM SOUTH CAROLINA WORKERS COMPENSATION COMMISSION
FULL COMMISSION

Case No.: 2018-002152

RECEIVED
FEB 13 2019
SC Court of Appeals

Willie Carroll Powell, Employee

Appellant,

v.

Johnsonville Mechanical Contractors, Inc., Employer,
and
Bridgefield Casualty Insurance Company c/o Summit, Carrier,

Respondents.

**RETURN TO RESPONDENTS' MOTION TO REQUIRE APPELLANT TO ORDER
TRANSCRIPT OF THE HEARING BEFORE THE FULL COMMISSION APPELLATE
PANEL**

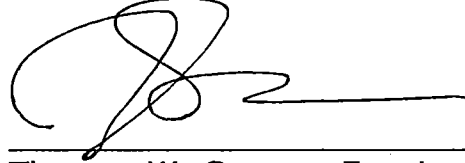
Appellant opposes the Respondents' Motion on the following grounds:

1. The Appellate Panel adopted verbatim the opinion of the Single Commissioner's Order. No additional testimony was taken at the Hearing and no additional APAs or exhibits were offered by either party or made a part of the record.
2. The entire transcript of the Hearing before the Single Commissioner containing all testimony and referencing all APA submissions and exhibits has been designated by Appellant to be a part of the Record on Appeal.
3. The Respondents' have stated in their Motion that, "The transcript of the September 18, 2018 Appellate Panel hearing is necessary for a full understanding of

the issues raised on appeal." Nothing could be further from the truth. The only thing contained in the transcript before the Appellate Panel is the arguments of counsel and any comments made by the Commissioners, none of which constitutes evidence in this matter, and are not relevant and are thus inadmissible.

4. Rule 209 (b) SCACR states, "Content.... A party shall not include any matter in his Designation which is not relevant to the appeal." The Appellate Panel's Order is included and Appellant's Designation contains all of the Panels' findings of fact and conclusions of law.

Respectfully submitted,

A handwritten signature in black ink, appearing to be 'T. W. Greene', written over a horizontal line.

Thomas W. Greene, Esquire
PO Box 688
Johns Island, SC 29457
(843) 556-7273
(888) 411-1896 Fax

ATTORNEY FOR APPELLANT

February 9, 2019

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM SOUTH CAROLINA WORKERS COMPENSATION COMMISSION
FULL COMMISSION

Case No.: 2018-002152

Willie Carroll Powell, Employee

RECEIVED
FEB 13 2019
SC Court of Appeals
Appellant,

v.

Johnsonville Mechanical Contractors, Inc., Employer,
and
Bridgefield Casualty Insurance Company c/o Summit, Carrier,

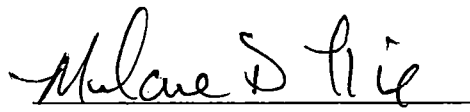
Respondents.

PROOF OF SERVICE

The undersigned certifies that she is an employee of Thomas W. Greene, GREENE LAW FIRM and that the attached Return to Respondents' Motion to Require Appellant to Order Transcript of the Hearing Before the Full Commission Appellate Panel was served upon counsel for the Respondents, this 9th day of February, 2019, by depositing a copy of same in the United States Mail, postage prepaid, addressed to:

Helen F. Hiser, Esquire
McAngus Goudelock & Courie
PO Box 650007
Mount Pleasant, SC 29465

J. Brandon Hylton, Esquire
McAngus Goudelock & Courie
PO Box 7489
Florence, SC 29502


Melanie D. Tice
Paralegal to Thomas W. Greene

Charleston, SC
February 9, 2019

THOMAS W. GREENE

ATTORNEY AT LAW

GREENE LAW FIRM
P.O. Box 688
Johns Island, SC 29457

CERTIFIED MEDIATOR AND ARBITRATOR

TEL: (843) 556-7273
FAX: (888) 411-1896

February 9, 2019

Helen F. Hiser, Esquire
McAngus Goudelock & Courie, LLC
PO Box 650007
Mount Pleasant, SC 29465

J. Brandon Hylton, Esquire
McAngus Goudelock & Courie
PO Box 7489
Florence, SC 29502

RECEIVED

FEB 13 2019

SC Court of Appeals

Re: Willie Carroll Powell, Employee/Appellant
V.
Johnsonville Mechanical Contractors, Inc., Employer,
and
Bridgefield Casualty Insurance Company c/o Summit, Carrier/Respondents.
Case No.: 2018-002152

Dear Mr. Hylton and Ms. Hiser:

I have enclosed a copy of Appellant's Return to Respondents' Motion to Require Appellant to Order Transcript of the Hearing Before the Full Commission Appellate Panel which I, hereby, serve upon you.

I have enclosed a Certificate of Mailing as proof of service.

Yours very truly,



Thomas W. Greene

TWG/mdt

Enclosure(s)

cc: Carroll Powell

THOMAS W. GREENE

ATTORNEY AT LAW

GREENE LAW FIRM
P.O. Box 688
Johns Island, SC 29457

CERTIFIED MEDIATOR AND ARBITRATOR

TEL: (843) 556-7273
FAX: (888) 411-1896

February 9, 2019

RECEIVED
FEB 13 2019
SC Court of Appeals

The Hon. Jenny Abbott Kitchings, Clerk
S.C. Court of Appeals
P.O. Box 11629
Columbia, SC 29211

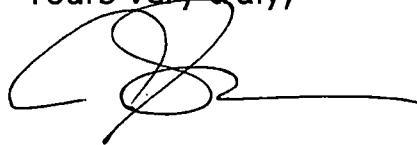
Re: Willie Carroll Powell, Employee/Appellant
V.
Johnsonville Mechanical Contractors, Inc., Employer,
and
Bridgefield Casualty Insurance Company c/o Summit, Carrier/Respondents.
Case No.: 2018-002152

Dear Ms. Kitchings:

Please find enclosed original and seven (7) copies of Appellant's Return to Respondents' Motion to Require Appellant to Order Transcript of the Hearing Before the Full Commission Appellate Panel in the above case.

I have also enclosed a certificate of mailing as proof of service upon opposing counsel.

Yours very truly,



Thomas W. Greene

TWG/mdt

Enclosures

cc: Carroll Powell
J. Brandon Hylton, Esquire
Helen F. Hiser, Esquire



1000



29211

U.S. POSTAGE PAID
FCM LG ENV
JOHNS ISLAND, SC
29455
FEB 08, 19
AMOUNT

\$1.45

R2305K141994-03

THOMAS W. GREENE
ATTORNEY AT LAW
GREENE LAW FIRM
P.O. BOX 688
JOHNS ISLAND, SC 29457

RECEIVED

FEB 13 2019

TO:

SC Court of Appeals



The Hon. Jenny Abbott Kitchings, Clerk
S.C. Court of Appeals
P.O. Box 11629
Columbia, SC 29211