

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM THE SOUTH CAROLINA
WORKERS' COMPENSATION COMMISSION

The Honorable T. Scott Beck, Commissioner

W.C.C. 1112328

RECEIVED

AUG 12 2019

SC Court of Appeals

Samuel Rose, Claimant.....Respondent,

v.

JJS Trucking, LLC, Uninsured Employer, and Chris Thompson
Services, Upstream Employer, and Bridgefield Casualty Ins. Co.,
Carrier for Chris Thompson Services, and The State Accident
Fund,.....Appellants.

NOTICE OF APPEAL

Pursuant to S.C. Code Ann. § 42-17-60 and Rule 203, S.C.A.C.R., Christ Thompson Services and Bridgefield Casualty Insurance Company hereby appeal the June 17, 2019 and the June 24, 2019 Orders of the South Carolina Workers' Compensation Commission's Appellate Panel¹. The Appellants received notice on July 19, 2019 that their Motion for

¹ Note that the Appellate Panel originally issued an Order dated June 17, 2019; but this June 17, 2019 Order did not include a page 12 when served upon the Defendants. The Defendants notified the Commission of this deficiency in the June 17, 2019 Order, but did not receive the missing page 12 for one week. During this time, the Defendants were forced to file a Motion for Reconsideration of the June 17, 2019 Order. The Appellate Panel has now issued an Order dated June 24, 2019, which makes no mention of the

Reconsideration was denied by the Appellate Panel form order dated July 15, 2019. The grounds for said appeal are as follows:

1. The Claimant's Form 30 dated September 14, 2014 raises no argument with respect to S.C. Code Ann. §§ 42-9-210, 42-9-260, 42-15-60, 42-9-10, 42-9-20, or 42-9-30 and elucidates no question as to the Hearing Commissioner's application of these statutes. Therefore, the Claimant did not comply with the requirements of S.C. Code Ann. § 42-17-50 or S.C. Code Reg. 67-701 and, as such, no argument under S.C. Code Ann. §§ 42-9-210, 42-9-260, 42-15-60, 42-9-10, 42-9-20, or 42-9-30 was preserved for review by the Appellate Panel and the Appellate Panel erred as a matter of law in addressing any argument under S.C. Code Ann. §§ 42-9-210, 42-9-260, 42-15-60, 42-9-10, 42-9-20, or 42-9-30 on remand.
2. Furthermore, the Claimant did not make any argument with respect to S.C. Code Ann. §§ 42-9-210, 42-9-260, 42-15-60, 42-9-10, 42-9-20, or 42-9-30 in his November 14, 2014 Brief to the Appellate Panel. Therefore, even if the Claimant had properly raised any argument regarding S.C. Code Ann. §§ 42-9-210, 42-9-260, 42-15-60, 42-9-10, 42-9-20, or 42-9-30 in his Form 30, he clearly abandoned those issues in his November 14, 2014 Brief, such that the Appellate Panel had no jurisdiction or authority to disturb the Hearing Commissioner's conclusions regarding these statutes.
3. The Hearing Commissioner's rulings regarding S.C. Code Ann. §§ 42-9-210,

June 17, 2019 Order, making it unclear whether it has been withdrawn, vacated, or is still in effect.

42-9-260, 42-15-60, 42-9-10, 42-9-20, or 42-9-30 are the law of the case and neither the appellate courts, nor the Appellate Panel, had any authority to address these statutes on remand and the Appellate Panel erred in impliedly finding and concluding that the remand instructions from the Court of Appeals permitted it so to do.

4. In addition, because the Hearing Commissioner's rulings regarding S.C. Code Ann. §§ 42-9-210, 42-9-260, 42-15-60, 42-9-10, 42-9-20, or 42-9-30 are the law of the case, neither the appellate courts, nor the Appellate Panel had jurisdiction to make any ruling with respect to S.C. Code Ann. §§ 42-9-210, 42-9-260, 42-15-60, 42-9-10, 42-9-20, or 42-9-30 contrary to those made by the Hearing Commissioner.
5. Considering the fact that the Appellate Panel had no authority and no jurisdiction to address any issue with respect to S.C. Code Ann. §§ 42-9-210, 42-9-260, 42-15-60, 42-9-10, 42-9-20, or 42-9-30, the Appellate Panel acted arbitrarily and erred as a matter of law in awarding benefits under S.C. Code Ann. §§ 42-9-210, 42-9-260, 42-15-60, 42-9-10, 42-9-20, or 42-9-30, or in otherwise disturbing the Hearing Commissioner's unappealed conclusions with regard to these statutes in its June 17, 2019 Order, which should be reversed and vacated by the Court of Appeals.
6. While the Appellate Panel's June 17, 2019 Order vaguely concludes that it had jurisdiction by virtue of the Remittitur from the Court of Appeals, the Order of the Court of Appeals does not, and cannot, extend the Appellate Panel's jurisdiction to address any unappealed rulings under S.C. Code Ann.

§§ 42-9-210, 42-9-260, 42-15-60, 42-9-10, 42-9-20, or 42-9-30 and the Appellate Panel erred as a matter of law in exercising such authority and jurisdiction and otherwise attempting to overrule the law of the case.

7. The Defendants respectfully contend that the Appellate Panel's June 17 and June 24, 2019 Orders constituted an abuse of discretion by the Commission and otherwise violated the Defendant's right to due process and equal protection under the law, including their right to notice and opportunity to be heard on the issues addressed, *sua sponte*, and without notice by the Appellate Panel, regarding the application of S.C. Code Ann. §§ 42-9-210, 42-9-260, 42-15-60, 42-9-10, 42-9-20, or 42-9-30. These issues were not preserved for appeal by the Claimant in his Form 30 or his 2014 Brief to the Appellate Panel and were not addressed by the Court of Appeals; therefore, the Defendants did not and could not have had an opportunity to address these issues on appeal in the first instance, much less on remand, and the Defendants were not given any notice that the Appellate Panel intended to address these issues, over which it had no jurisdiction or authority, *sua sponte* in June 2019.
8. The Appellate Panel erred, as Finding of Fact #11 addresses the Defendants' provision of medical treatment with Dr. Greg Jones when neither the Claimant's Form 30, nor his November 14, 2014 Brief to the Appellate Panel, made any argument with respect to the provision of medical treatment or the opinions of Dr. Jones. Therefore, the Appellate Panel had no authority or jurisdiction to address these issues on remand and, in so doing, violated the

Defendants' right to due process and equal protection under the law. This finding is otherwise not supported by substantial evidence in the record.

9. The Appellate Panel erred, as Finding of Fact #12 addresses the opinions of the Claimant's family physician, Dr. Abel, regarding physical therapy and an EMG; however, neither the Claimant's Form 30, nor his November 14, 2014 Brief to the Appellate Panel, made any argument with respect to the opinions of Dr. Abel, or his entitlement to physical therapy or and EMG. Therefore, the Appellate Panel had no authority or jurisdiction to address these issues on remand. Furthermore, by addressing these issues on remand, without notice to the Defendants, or allowing the Defendants any opportunity to address these issues on appeal, the Appellate Panel violated the Defendants' right to due process and equal protection. This finding is otherwise not supported by substantial evidence in the record.
10. The Appellate Panel erred, as Finding of Fact #13 addresses the opinions of Dr. Poletti, who performed a one-time independent medical evaluation at the request of the Claimant's attorney, regarding the Claimant's alleged need for additional medical treatment. However, neither the Claimant's Form 30, nor his November 14, 2014 Brief to the Appellate Panel, made any argument with respect to the opinions of Dr. Poletti, or his entitlement to additional medical treatment generally. Therefore, the Appellate Panel had no authority or jurisdiction to address these issues on remand and, in so doing, violated the Defendants' right to due process and equal protection under the law. This finding is otherwise not supported by substantial evidence in the

record.

11. The Appellate Panel erred, as Finding of Fact #14 addresses whether the Claimant is at maximum medical improvement; however, neither the Claimant's Form 30, nor his November 14, 2014 Brief to the Appellate Panel, made any argument with respect to the issue of maximum medical improvement. Therefore, the Appellate Panel had no authority or jurisdiction to address these issues on remand and, in so doing, violated the Defendants' right to due process and equal protection under the law. This finding is otherwise not supported by substantial evidence in the record.
12. The Appellate Panel erred, as Finding of Fact #14 further addresses the weight and credibility of the medical evidence regarding the issue of additional medical treatment. However, however, neither the Claimant's Form 30, nor his November 14, 2014 Brief to the Appellate Panel, made any argument with respect to the weight or credibility of the evidence on the issue of additional medical treatment. Therefore, the Appellate Panel had no authority or jurisdiction to address these issues on remand and, in so doing, violated the Defendants' right to due process and equal protection under the law. This finding is otherwise not supported by substantial evidence in the record.
13. The Appellate Panel erred, as Finding of Fact #15, also addresses the weight and credibility of the medical evidence and contains a legal conclusion regarding the need for additional medical treatment, including surgery. However, neither the Claimant's Form 30, nor his November 14, 2014 Brief

to the Appellate Panel, made any argument with respect to the weight or credibility of the evidence on the issue of additional medical treatment, or his entitlement to additional medical treatment, including surgery.

Furthermore, the Claimant did not appeal the Appellate Panel's previous (February 8, 2016) legal conclusion (#13) that pursuant to S.C. Code Ann. § 42-15-60, "the Defendants shall have no liability for any additional medical care or treatment under the Workers' Compensation Act" to the Court of Appeals, making this conclusion, which was originally entered by the Hearing Commissioner and thereafter unappealed, the law of the case.

Therefore, the Appellate Panel had no authority or jurisdiction to address these issues on remand, to award additional medical benefits, or to disturb the previously unappealed legal conclusion with regard to additional medical treatment. Furthermore, by addressing these issues on remand, without notice to the Defendants, or allowing the Defendants any opportunity to address these issues on appeal, the Appellate Panel violated the Defendants' right to due process and equal protection under the law. This finding is otherwise not supported by substantial evidence in the record.

14. The Appellate Panel erred, as Finding of Fact #16, which is also a legal conclusion, addresses the Claimant's right to direct and control the provision of medical treatment and the appointment of Dr. Poletti as the authorized treating physician. However, neither the Claimant's Form 30, nor his November 14, 2014 Brief to the Appellate Panel, make any argument with respect to his right to direct or control the provision of medical treatment or

the appointment of Dr. Poletti as the authorized treating physician. In fact, the Claimant did not even request that the Hearing Commissioner appoint Dr. Poletti as the authorized treating physician and the Hearing Commissioner; therefore, did not address this issue (because it was not an issue.) Moreover, neither the Claimant's Form 58, Pre-Hearing Brief, dated August 5, 2013, nor his arguments at the September 23, 2013 Hearing (*see* Hrg. T. pp.10–11), made even the slightest suggestion that the Defendants should be deprived of their statutory rights under S.C. Code Ann. § 42-15-60 and § 42-15-80 and; therefore, this issue was not preserved for review by the Appellate Panel in the first instance and was certainly not properly before the Appellate Panel on remand. Furthermore, the Claimant did not appeal the Appellate Panel's previous (February 8, 2016) legal conclusion (#13) that pursuant to S.C. Code Ann. § 42-15-60, "the Defendants shall have no liability for any additional medical care or treatment under the Workers' Compensation Act," making this conclusion, which was originally entered by the Hearing Commissioner and thereafter unappealed, the law of the case. Therefore, the Appellate Panel had no authority or jurisdiction to address the issue of additional medical treatment on remand, or to order a change in the authorized treating physician, or to appoint Dr. Poletti as the authorized treating physician, or to otherwise disturb the previously unappealed legal conclusion with regard to additional medical treatment. Additionally, by addressing this argument, *sua sponte*, on appeal, despite the binding legal conclusions of the Hearing Commissioner, and without notice or

opportunity for the Defendants to ever address this issue, violated the Defendants' statutory and constitutional rights to due process and equal protection under the law. This finding is otherwise not supported by substantial evidence in the record.

15. The Appellate Panel erred, as Finding of Fact #17, which is also actually a legal conclusion, addresses the Claimant's entitlement to an evaluation with an orthopaedic surgeon "to obtain updated MRI scans and an assessment of Claimant's continued complaints of pain in his right knee." Not only is there no medical evidence in the record that the Claimant requires "updated MRI scans" of his right knee, but there is no evidence that the Claimant "continues" to complain of pain in his right knee because the Claimant has not given testimony in this case since September 23, 2013 – 5 years and 9 months ago. Moreover, neither the Claimant's Form 30, nor his November 14, 2014 Brief to the Appellate Panel, made any argument with respect to his right knee, made no request for an MRI of his right knee, and made no request for additional treatment for his right knee. Therefore, the Appellate Panel had no authority or jurisdiction to address these issues on remand and, in so doing, violated the Defendants' right to due process and equal protection under the law. Furthermore, the Appellate Panel had no authority or jurisdiction to speculate as to the current condition of the Claimant's right knee or any need for medical treatment or diagnostic studies at the present time. In addition, the Appellate Panel was without authority or jurisdiction to disturb the unappealed legal conclusion that,

pursuant to S.C. Code Ann. § 42-15-60, “the Defendants shall have no liability for any additional medical care or treatment under the Workers’ Compensation Act.” This conclusion, which was originally entered by the Hearing Commissioner and thereafter unappealed to either the Appellate Panel or the Court of Appeals, is the law of the case. Even if the issue of additional medical treatment for the right knee were properly before the Appellate Panel, any award of medical treatment for the right knee must have been predicated upon a factual finding, based upon actual evidence, that the proposed treatment would “tend to lessen the period of disability,” as plainly required by S.C. Code Ann. § 42-15-60; however, here the Appellate Panel could not and did not make any such factual finding, which constitutes plain legal error. This finding is otherwise not supported by substantial evidence in the record.

16. The Appellate Panel erred, as Finding of Fact #18, which is also actually a legal conclusion, addresses the Claimant’s entitlement to temporary disability compensation “to the present and continuing” and “to a lump-sum award of any back payment of temporary disability benefits due.” Not only did the Appellate Panel fail to make any predicate finding of current, causally-related loss of wage-earning capacity, but there is no evidence in the record to support a finding that the Claimant is disabled at “present and continuing” because the record in this case was closed in September 2013. More importantly, neither the Claimant’s Form 30, nor his November 14, 2014 Brief to the Appellate Panel, made any argument with respect to

temporary disability compensation or a lump sum payment, therefore, the Appellate Panel had no authority or jurisdiction to address these issues on remand. Furthermore, the Appellate Panel had no authority or jurisdiction to speculate as to the Claimant's current ability to earn wages, or his ability to do so at any time since September 2013. In addition, the Appellate Panel was without authority or jurisdiction to disturb the unappealed legal conclusion that, pursuant to "S.C. Code Ann. Sec. 42-9-260, the Defendants are entitled to terminate temporary disability compensation effective...September 23, 2013." This conclusion, which was originally entered by the Hearing Commissioner and thereafter unappealed to either the Appellate Panel or the Court of Appeals, is the law of the case. Finally, by addressing this issue, *sua sponte*, on appeal, despite the binding legal conclusions of the Hearing Commissioner, and without notice or opportunity to make any arguments on appeal or on remand, violated the Defendants' statutory and constitutional rights to due process and equal protection. This finding is otherwise not supported by substantial evidence in the record.

17. The Appellate Panel erred as matter of law, as the June 17 and June 24, 2019 Appellate Panel Orders acknowledge that "the Claimant testified that he fell down a flight of stairs at his mother's house in November 2011 and again in January of 2012 and re-injured his back and neck on both occasions." While the Defendants maintain that the fact of these two intervening accidents breaking the chain of causation are moot given the

conclusive nature of Hearing Commissioner Taylor's denial of benefits S.C. Code Ann. §§ 42-9-210, 42-9-260, 42-15-60, 42-9-10, 42-9-20, or 42-9-30, the Defendants respectfully argue that it was incumbent upon the Appellate Panel to address the fact of these intervening, non-work-related accidents. Based upon the Claimant's own admission, the proximate cause of the Claimant's neck and low back problems is not work-related, but instead his problems are due to falls down a flight of stairs at home in November 2011 and again in January of 2012. Conclusion of Law #3 acknowledges that an "intervening cause" can break the chain of causation, but fails to apply this law to the facts of the case, making the conclusion improper, and impermissibly vague.

18. The Appellate Panel erred, as Conclusion of Law #4 address the issue of maximum medical improvement; however, neither the Claimant's Form 30, nor his November 14, 2014 Brief to the Appellate Panel, made any argument with respect to the issue of maximum medical improvement. Therefore, the Appellate Panel had no authority or jurisdiction to address this issue on remand and, in so doing, violated the Defendants' right to due process and equal protection under the law. This conclusion is otherwise not supported by substantial evidence in the record.
19. The Appellate Panel erred, as Conclusion of Law #5 addresses the Claimant's right to direct and control the provision of medical treatment and the appointment of Dr. Poletti as the authorized treating physician. However, neither the Claimant's Form 30, nor his November 14, 2014 Brief

to the Appellate Panel, made any argument with respect to his right to direct or control the provision of medical treatment or the appointment of Dr. Poletti as the authorized treating physician. In fact, the Claimant did not even request that the Hearing Commissioner address this issue or appoint Dr. Poletti as the authorized treating physician. Neither the Claimant's Form 58, Pre-Hearing Brief, dated August 5, 2013, nor his arguments at the September 23, 2013 Hearing (*see* Hrg. T. pp.10—11), made even the slightest suggestion that the Defendants should be deprived of their statutory rights under S.C. Code Ann. § 42-15-60 and § 42-15-80. Furthermore, the Claimant did not appeal the Appellate Panel's previous (February 8, 2016) legal conclusion (#13) that pursuant to S.C. Code Ann. § 42-15-60, "the Defendants shall have no liability for any additional medical care or treatment under the Workers' Compensation Act," making this conclusion, which was originally entered by the Hearing Commissioner and thereafter unappealed, the law of the case. *See Atl. Coast Builders & Contractors, LLC v. Lewis, supra*. Therefore, the Appellate Panel had no authority or jurisdiction to address this issue on remand, or to order a change in the authorized treating physician, to appoint Dr. Poletti as the authorized treating physician, or to otherwise disturb the previously unappealed legal conclusion with regard to additional medical treatment. Lastly, by addressing this argument, *sua sponte*, on appeal, despite the binding legal conclusions of the Hearing Commissioner, and without notice or opportunity to ever address the appointment of Dr. Poletti, violated the

Defendants' statutory and constitutional rights to due process and equal protection under the law. This conclusion is otherwise not supported by substantial evidence in the record.

20. The Appellate Panel erred, as Conclusion of Law #5 further addresses the Claimant's entitlement to additional medical treatment, including surgery. However, neither the Claimant's Form 30, nor his November 14, 2014 Brief to the Appellate Panel, made any argument with respect to his alleged entitlement to additional medical treatment, including surgery. Furthermore, the Claimant did not appeal the Appellate Panel's previous (February 8, 2016) legal conclusion (#13) that pursuant to S.C. Code Ann. § 42-15-60, "the Defendants shall have no liability for any additional medical care or treatment under the Workers' Compensation Act," making this conclusion, which was originally entered by the Hearing Commissioner and thereafter unappealed, the law of the case. Therefore, the Appellate Panel had no authority or jurisdiction to award additional medical treatment, including surgery, on remand, or disturb the previously unappealed legal conclusion with regard to additional medical treatment. In addition, by addressing this issue, *sua sponte*, on appeal, despite the binding legal conclusions of the Hearing Commissioner, and without notice or opportunity to address this issue on appeal or on remand, violated the Defendants' statutory and constitutional rights to due process and equal protection under the law. This conclusion is otherwise not supported by substantial evidence in the record.

21. The Appellate Panel erred, as Conclusion of Law #5 further also purports to make a blanket award of future medical treatment that has not even been recommended, which is plain legal error. Even if the Appellate Panel had jurisdiction to award future medical benefits, the Appellate Panel had no authority to make a blanket award of benefits that includes vague entitlement to “any referral made by Dr. Poletti.” The Commission’s authority is clearly prescribed by S.C. Code Ann. § 42-15-60 and limited to awards of medical treatment that have actually been proved to “lessen the period of disability” with actual expert medical evidence “stated to a reasonable degree of medical certainty.” There is no statutory authority for an award of speculative future treatment or referrals for which no recommendation has even been made. This conclusion is otherwise not supported by substantial evidence in the record.
22. The Appellate Panel erred, as Conclusion of Law #5 also addresses the Claimant’s entitlement to additional medical treatment for his right knee.” Not only is there no medical evidence in the record stated to the requisite “reasonable degree of medical certainty” that the Claimant requires any additional medical treatment for his right knee to lessen any alleged period of disability, but neither the Claimant’s Form 30, nor his November 14, 2014 Brief to the Appellate Panel, made any argument with respect to his right knee and makes no request for additional treatment for his right knee. Therefore, the Appellate Panel had no authority or jurisdiction to address these issues on remand and, in so doing, violated the Defendants’ right to

due process and equal protection under the law. Furthermore, the Appellate Panel was without authority or jurisdiction to disturb the unappealed legal conclusion that, pursuant to S.C. Code Ann. § 42-15-60, “the Defendants shall have no liability for any additional medical care or treatment under the Workers’ Compensation Act.” This conclusion, which was originally entered by the Hearing Commissioner and thereafter unappealed to either the Appellate Panel or the Court of Appeals, is the law of the case. This conclusion is otherwise not supported by substantial evidence in the record.

23. The Appellate Panel erred, as Conclusion of Law #6 awards the Claimant “temporary total disability benefits from August 11, 2011 through the present and continuing” and further awards the Claimant “a lump-sum payment of any back-owed TTD accrued during litigation. The Appellate Panel was without authority or jurisdiction to make this award, which is otherwise premised on impermissible surmise, conjecture, and speculation, and premised upon an error of law. Furthermore, neither the Claimant’s Form 30, nor his November 14, 2014 Brief to the Appellate Panel, made any argument with respect to temporary disability compensation or a lump sum payment of (what was then) future temporary disability compensation through June 2019. Therefore, the Appellate Panel had no authority or jurisdiction to address these issues on remand and, in so doing, violated the Defendants’ right to due process and equal protection under the law. In addition, the Appellate Panel had no authority or jurisdiction to speculate

as to whether the Claimant is presently totally disabled, whether he has been consistently disabled since last hearing from the Claimant in September 2013, whether any alleged disability after September 2013 is causally-related to the accident, or even whether the Claimant has earned wages since September 2013. The issue of whether the Claimant has been totally disabled since September 2013 was not before the Commission and the record contains no evidence upon this issue that could support such an award. In addition, the Appellate Panel was without authority or jurisdiction to disturb the unappealed legal conclusion that, pursuant to S.C. Code Ann. § 42-9-260, “the Defendants are entitled to terminate temporary disability compensation effective...September 23, 2013.” This conclusion, which was originally entered by the Hearing Commissioner and thereafter unappealed to either the Appellate Panel or the Court of Appeals, is the law of the case and cannot lawfully be disturbed at this juncture. Moreover, by awarding a lump sum of benefits for period after this matter was tried before the Hearing Commissioner and the record was closed, the Appellate Panel not only violated the Defendants’ due process and equal protection right, but also arbitrarily and capriciously forestalled any future argument (should the June 24, 2019 Order be affirmed on appeal) with regard to the Claimant’s entitlement to benefits, or the Defendants’ right to a credit for overpayment of benefits, for the period after September 23, 2013, based upon actual evidence after notice and opportunity to be heard. This conclusion is otherwise not supported by substantial evidence in the record.

WHEREFORE, the Defendants respectfully request that the Court of Appeals reverse and vacate the Orders of the Workers' Compensation Commission's Appellate Panel dated June 17, 2019 and June 24, 2019.

Respectfully submitted,

TRASK & HOWELL, L.L.C.
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By *Kirsten L. Barr*

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August 9, 2019

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UNREPRESENTED PARTY:

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THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM THE SOUTH CAROLINA
WORKERS' COMPENSATION COMMISSION

The Honorable T. Scott Beck, Commissioner

RECEIVED

W.C.C. 1112328

AUG 12 2019

SC Court of Appeals

Samuel Rose, Claimant.....Respondent,

v.

JJS Trucking, LLC, Uninsured Employer, and Chris Thompson
Services, Upstream Employer, and Bridgefield Casualty Ins. Co.,
Carrier for Chris Thompson Services, and The State Accident
Fund,.....Appellants.

PROOF OF SERVICE

The undersigned hereby certifies that the Notice of Appeal was served on Samuel A. Rose, Esq., the South Carolina Uninsured Employers Fund, the South Carolina Workers' Compensation Commission, and JJS Trucking, Inc. by depositing a copy of the same in the United States Mail, first class postage prepaid, on August 9, 2019, addressed to the parties of record as follows:

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Ms. Amy Bracy
Judicial Director
S. C. Workers' Compensation
Commission
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August 9, 2019

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Reply to
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August 9, 2019

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

SC Court of Appeals

AUG 12 2019

RECEIVED

Re: Samuel A. Rose v. JJS Trucking, LLC/SCUEF and
Chris Thompson Services, LLC/Bridgefield Casualty Insurance Company
W.C.C. File No.: 1112328
Carrier File No.: 0196-943450
Date of Accident: August 10, 2011

Dear Ms. Kitchings:

Enclosed for filing, please find a Notice of Appeal in the above-referenced case. Also enclosed are the following:

1. Proof of Service of the Notice of Appeal on the Respondent
2. A copy of the Orders that are being challenged on appeal
3. Filing fee in the amount of \$250.00

Thank you for your time and attention to this matter. Should you have any questions or concerns, please do not hesitate to contact me.

Yours very truly,



Kirsten L. Barr

KLB/icm/les

Enc.

cc: Kiema Lewis, Summit Holdings (w/enc.) (email only-claim faxes)
Chris Thompson, Chris Thompson Services, LLC (w/enc.)
Susan Mack, Summit Holdings (w/enc.) (email only)
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SC Court of Appeals



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**The Honorable Jenny Abbott Kitchings
Clerk, South Carolina Court of Appeals
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