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THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM THE SOUTH CAROLINA
WORKERS' COMPENSATION COMMISSION
T. Scott Beck, Commissioner

RECEIVED

SEP 17 2019

SC Court of Appeals

W.C.C. 1012533
Appellate Case No. 2017-001764

Chisolm Frampton, Employee,.....Appellant,

v.

SC Department of Natural Resources, Employer, and
South Carolina State Accident Fund, Carrier.....Respondents.

MOTION TO SUPPLEMENT RECORD ON APPEAL

TO THE SOUTH CAROLINA COURT OF APPEALS AND COUNSEL FOR THE
APPELLANT, CHISHOLM FRAMPTON:

PLEASE TAKE NOTICE that the above-named Respondents hereby move the Court of
Appeals for leave to file an Appendix to the Record on Appeal pursuant to Rule 212,
S.C.A.C.R., and based upon the following:

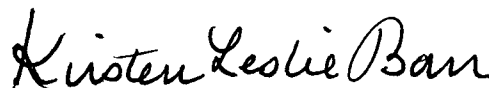
1. Pursuant to Rule 210, S.C.R.C.P., the Record on Appeal "shall include all matter designated by any party."
2. Pursuant to Rule 209, S.C.R.C.P., the Respondents designated "Respondents' Exhibits A, B, C, D, & E from the July 15, 2015 Hearing."

3. As noted in the October 3, 2016 Order of the Hearing Commissioner, Exhibit B is “5 pages,” Exhibit D is “2 pages,” and Exhibit D is “2 pages.” (R. p.3).
4. The Record on Appeal filed by the Appellant contains only two of the five pages of Exhibit B, only one of the two pages of Exhibit D, but includes four pages for Exhibit E despite the fact the Exhibit was only two pages when proffered. Therefore, the Record on Appeal is incomplete and otherwise inaccurate.
5. The Respondents desire the Court have benefit of a complete and accurate Record on Appeal prior to oral arguments, which are scheduled for September 19, 2019.
6. Pursuant to Rule 212, S.C.R.C.P., “at any time before argument commences....a party desiring to supplement the Record on Appeal must move the appellate court for leave to do so.” The Respondents so move.
7. The supplemental materials are included in an Appendix to the Record on Appeal attached hereto in accordance with Rule 212(c), S.C.A.C.R..

THEREFORE, the Respondents respectfully move and request that the Court of Appeals grant leave to file the attached Appendix to the Record on Appeal.

Respectfully submitted,

September 16, 2019



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(843) 881-4228
Attorneys for Respondents

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PROOF OF SERVICE

The undersigned hereby certifies that she served the above-named Appellant, Chisolm Frampton, with copies of the Respondents' Motion to Supplement the Record on Appeal and three bound copies of the Appendix to the Record Appeal this 16th day of September 2019, by email and by overnight delivery of the same via Fedex addressed to the parties of record, as follows:

John C. Land, III, Esq.
29 South Mill Street
Manning, SC 29102
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Sept. 16, 2019

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TRASK
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WORKERS' COMPENSATION DEFENSE

Reply to
Kirsten L. Barr
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September 16, 2019

Via Email and Overnight Delivery

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

Re: Chisolm Frampton v. SC Department of Natural Resources
W.C.C. File No.: 1012533
Appellate Case No.: 2017-001764
Carrier File No.: 2010-3478
Date of Accident: September 4, 2010

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SC Court of Appeals

Dear Ms. Kitchings:

Enclosed herewith for filing, please find the original and six (6) copies of our Motion to Supplement Record on Appeal, along with our filing fee check in the amount of \$50.00 in the above-referenced case. Also enclosed, please find the unbound original and fifteen (15) bound copies of the Appendix to Supplement the Record on Appeal, along with our Certificate of Counsel.

By Proof of Service to the parties, I am serving our Motion to Supplement the Record on Appeal and three (3) bound copies of the Appendix to the Record on Appeal on the other counsel of record.

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

Yours very truly,

Kirsten L. Barr
Kirsten L. Barr *les*

KLB/cab/les

Enc.

cc: Lindsay Sadler, South Carolina State Accident Fund (email only)
Stephanie Welch, SC Department of Natural Resources (email only)
John C. Land, III, Esq. (w/enc.-3 bound copies) (email/overnight delivery)
Blake A. Hewitt, Esq. (w/enc. 3-bound copies) (email/overnight delivery)

