

THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

APPEAL FROM SOUTH CAROLINA WORKERS'  
COMPENSATION COMMISSION

Appellant Panel of the Full Commission

**RECEIVED**

SEP 27 2019

WCC Number: 1417071  
Appellate Case No.: Unknown

SC Court of Appeals

Joe Jefferson (Employee),.....Respondent,

v.

SC Department of Transportation (Employer),

and

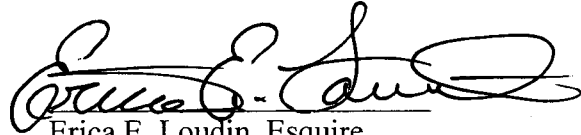
South Carolina State Accident Fund (Carrier),..... Appellants.

NOTICE OF APPEAL

Appellants, SC Department of Transportation and the South Carolina State Accident Fund, appeal the Decision and Order of Full Commission Appellant Panel of the South Carolina Workers' Compensation Commission dated August 29, 2019. Appellants received written notice of entry for this order on August 29, 2019.

Pursuant to S.C. Code Ann. §42-17-60, the grounds for appeal are as follows:

1. The Full Commission Appellate Panel erred as a matter of fact and conclusion of law by affirming the Single Commissioner's decision that Appellants failed to timely pay the final award to the Respondent, which entitles him to an additional 10% penalty of the award, when such a finding was not supported by the substantial evidence in the record and is based upon an erroneous application of law.



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Attorney for Appellants

September 27, 2019

**Other Counsel of Record:**

Stephen J. Wukela, Esquire  
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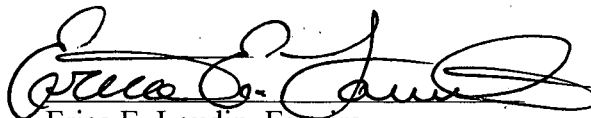
SC Department of Transportation (Employer),

and

South Carolina State Accident Fund (Carrier),..... Appellants.

PROOF OF SERVICE

I certify that I have served the Notice of Appeal and copy of the Appellate Panel Decision and Order of the South Carolina Workers' Compensation Commission dated August 29, 2019, on Respondent by depositing a copies of the document in the United States mail, first class postage prepaid, on September 27, 2019, to Respondent's counsel of record Stephen J. Wukela, Wukela Law Firm, P.O. Box 13057, Florence South Carolina, 29504-3057 and to the South Carolina Workers' Compensation Commission, P.O. Box 1715, Columbia, SC, 29202-1715.



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September 27, 2019

# WILLSON JONES CARTER & BAXLEY, P.A.

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September 27, 2019

## Via Hand Delivery

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

**RECEIVED**

SEP 27 2019

SC Court of Appeals

Re: Joe Jefferson vs. SC Department of Transportation  
WCC File No. 1417071 DOI: 2/1/2016  
Carrier: State Accident Fund  
**Appellate Case No.: Unknown**

Dear Ms. Kitchings:

Please find enclosed the following documents for filing regarding the above-referenced matter:

- (1) The original and two (2) copies of Appellant's Notice of Appeal;
- (2) Proof of Service of the Notice of Appeal on Respondent and S.C. Workers' Compensation Commission;
- (3) A copy of the Order which is to be challenged on appeal;
- (4) A copy of the 09/26/19 correspondence requesting copy of Full Commission Hearing Transcript.

**Please note that pursuant to Rule 203(d)(2)(B)(iii), SCACR, no filing fee is required since this is an appeal by the State of South Carolina or its agencies or departments.**

By copy of this letter to the South Carolina Workers Compensation Commission and to Stephen J. Wukela, Attorney for Respondent, I am serving upon the Commission and Respondent a copy of this Notice of Appeal.

With kindest regards,

**WILLSON JONES CARTER & BAXLEY, P.A.**

A handwritten signature in black ink, appearing to read "Erica E. Loudin". The signature is fluid and cursive, with a large loop at the end.

Erica E. Loudin

EEL/eel

Enclosures

cc: Ms. Amy Bracy, S.C. Workers' Compensation Commission  
Mr. Stephn J. Wukela, Esquire  
Ms. Larisa Benson (State Accident Fund)  
Ms. Vera Jackson (State Accident Fund)