

THE STATE OF SOUTH CAROLINA

In The Court of Appeals

**APPEAL FROM SC WORKERS COMPENSATION FULL COMMISSION JUDICIAL
CONFERENCE**

Full Commission Judicial Conference

SCWCC: 1320773
SC Court of Appeals Case # 2019-001190

RECEIVED
OCT 28 2019
SC Court of Appeals

Tammy Jordan,

Respondent,

The Hartford Financial
Group, Inc,

Appellant.

Resurgent Capital Services

Employer

Interstate Contact Cleaning
Services, Inc.

Third Party Tortfeasor

APPELLANT'S RETURN TO RESPONDENT'S MOTION TO DISMISS

Stephen T. Anderson (SC Bar # 101085)
Clarkson, Walsh, & Coulter, P.A.
P.O. Box 6728
Greenville, SC 29606
(864) 232-4400
Attorneys for the Appellant

On this 23rd day of October 2019
Greenville, South Carolina

I. Appellant timely filed a Designation of Matter within 10 days after receiving a deficiency letter from The SC Court of Appeal.

Respondent's first argument is that Appellant did not file a Designation of Matter within 10 days per a deficiency letter from this Honorable Court dated September 12, 2019. The Respondent's Motion is factually inaccurate. On September 22, 2019, the undersigned's office cured the deficiency as required by the South Carolina Court of Appeals by placing the Designation of Matter on Appeal along with a copy of the Notice of Appeal to the South Carolina Workers' Compensation Commission in the mail to the SC Court of Appeals and a copy to Richard Patton, the only attorney of record for the Respondent at that time, at the following address: 819 E. North Street, Greenville, SC 29601. (*See attached Affidavit of Tracy Brown and copy of the Designation Matter found on the South Carolina Appellate Case Management System*). Furthermore, the Designation of Matter contained nothing that had not previously been served on Respondent's counsel. Respondent's counsel was served with a Designation of Matter in accordance with the SCACR 208 and 209 per the attached affidavit.

II. Appellant did properly serve the South Carolina Workers Compensation Commission with notice of this appeal in accordance with SCACR 203.

Respondent's second argument is that Appellant failed to serve a Notice of Appeal with the SC Workers Compensation Commission. Appellant has attached a stamped copy of the Notice of Appeal that was served the SC Workers' Compensation Commission on July 10, 2019. (*See attached Notice of Appeal*). Please note that the notice was stamped as received by the Commission on July 19, 2019. The attached stamped copy received by the SC Workers

Compensation clearly and unequivocally illustrates that Appellant did properly serve the SC Workers Compensation Commission with notice of this appeal pursuant to SCACR 203.

CONCLUSION

Respondent has not demonstrated sufficient reason for its motion to be granted. Appellant requests that the Respondent's motion be denied as the Appellant has properly complied with all applicable SCACR rules, and that this appeal be heard on its merits. In the event that this appeal be allowed to continue on its merits, Appellant consents to Respondent's request for additional time to file its Response Brief.

Respectfully Submitted:



Stephen Anderson
SC BAR #101085
Clarkson, Walsh, & Coulter, P.A.
P.O. Box 6728
Greenville, SC 29606
(864) 232-4400
Attorneys for the Appellant

October 23, 2019
Greenville, South Carolina 29607

STATE OF SOUTH CAROLINA)
COUNTY OF GREENVILLE)

AFFIDAVIT OF TRACY D. BROWN

PERSONALLY, appeared before me, Tracy D. Brown, does depose and say as follows:

My name is Tracy D. Brown and I am a paralegal at Clarkson, Walsh & Coulter, P.A. I work directly for Michael T. Coulter, Raymond D. Turner and Stephen T. Anderson.

On July 10, 2019, I personally placed the letter addressed to Amy Bracy, Director for SC Workers' Compensation Commission, Judicial Department, in the mail enclosing for filing the Notice of Appeal. Please see attached as Exhibit A, a copy of the Notice of Appeal that was filed by the SCWCC. I also placed the original and one copy in the mail to the South Carolina Court of Appeals along with our firm's check for the filing fee and placed a copy to Richard Patton in the mail addressed to 819 E. North Street, Greenville, SC 29601.

On September 22, 2019, I personally cured the deficiency that was required by the South Carolina Court of Appeals by placing the Designation of Matter on Appeal along with a copy of the initial letter to the South Carolina Workers' Compensation Commission in the mail to the South Carolina Court of Appeals and a copy to Richard Patton at the following address: 819 E. North Street, Greenville, SC 29601.

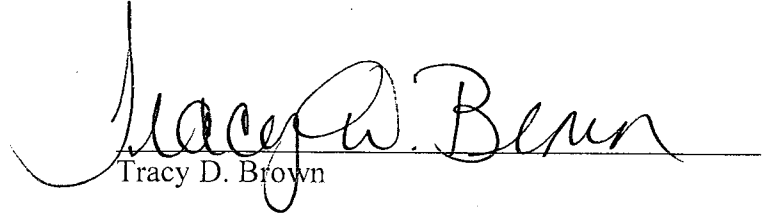
On October 22, 2019, I was notified by Stephen Anderson that a Motion to Dismiss had been filed in the matter of Tammy Jordan v. The Hartford Financial Group, Inc., et al. I receive, open, and archive all of Mr. Anderson's mail on a daily basis. Our office has never received a copy of the Motion to Dismiss nor the Proof of Service that was filed with the South Carolina Court of Appeals on October 3, 2019. We have a copy now as I downloaded it from the C-Tracking System.

RECEIVED

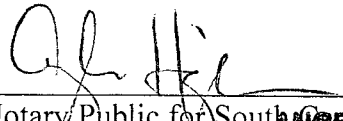
OCT 28 2019

SC Court of Appeals

AND FURTHER THE AFFIANT SAYETH NOT.


Tracy D. Brown

SWORN to and before me this
23rd day of October, 2019.


Notary Public for South Carolina
My Commission Expires 12/3/2023
ANGELA HIGHHOUSE
Notary Public, State of South Carolina
My Commission Expires 12/3/2023

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COUNTY OF GREENVILLE)

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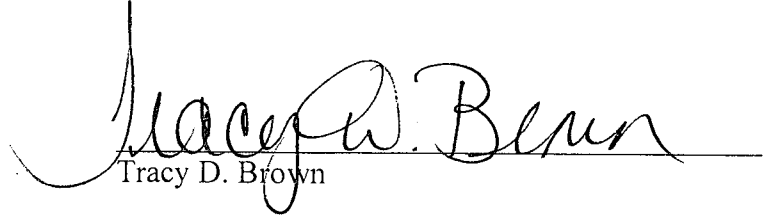
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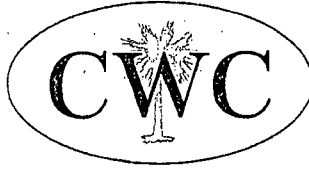
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Notary Public for South Carolina
My Commission Expires 12/3/2023



CLARKSON | WALSH | COULTER
Attorneys at Law

Stephen T. Anderson
sanderson@clarksonwalsh.com
(864)232-4400

July 10, 2019

Amy Bracy
Director for SC Workers' Compensation Commission
Judicial Department
1333 Main Street
Columbia, SC 29202

Re: Tammy Jordan v. Resurgent Capital Services
SCWCC: 1320773


Dear Ms. Bracy:

Enclosed for filing is a notice of appeal in the above case.

Should you have any questions or require further information, please do not hesitate to contact me.

Very truly yours,

CLARKSON, WALSH & COULTER, P.A.


Stephen T. Anderson

STA/tdb
Enclosure
cc: Richard Patton, Esquire



SCWCC

JUL 10 2019

GREENVILLE - POST OFFICE BOX 6728, GREENVILLE, SC 29606
CHARLESTON - POST OFFICE BOX 2219, MOUNT PLEASANT, SC 29465

PHONE: 864-232-4400 • FAX: 864-235-4399
WWW.CLARKSONWALSH.COM

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM SC WORKERS COMPENSATION FULL COMMISSION
JUDICIAL CONFERENCE
Full Commission Judicial Conference

SCWCC: 1320773

Tammy Jordan,

Respondent,

v.

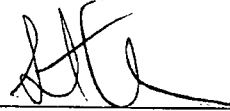
The Hartford Financial Group,
Inc,
Resurgent Capital Services
Interstate Contact Cleaning
Services, Inc.

Appellant.

Employer
Third Party Tortfeasor

NOTICE OF APPEAL

The Hartford Financial Group, Inc., appeals Order #82138, denying Appellant's Motion to Reinstatement issued by the Full Commission in a Judicial Conference. Appellant received written notice of entry of this Order on June 17, 2019.



Stephen Anderson (SC Bar #101085)
Clarkson, Walsh & Coulter, P.A.
P.O. Box 6728
Greenville, SC 29606
(864) 232-4400
Attorney for Appellants

Greenville, SC
July 10, 2019

Other Counsel of Record:
Richard Patton (864) 233-9797
819 E. North Street
Greenville, SC 29601

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM SC WORKERS COMPENSATION FULL COMMISSION
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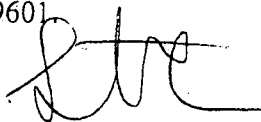
The Hartford Financial Group,
Inc,
Resurgent Capital Services
Interstate Contact Cleaning
Services, Inc.

Appellant.

Employer
Third Party Tortfeasor

PROOF OF SERVICE

I certify that I have served the Notice of Appeal on Respondent by depositing a copy of it in the United States Mail, postage prepaid, on July 10, 2019, addressed to her attorney of record, Richard Patton, 819 E. North Street, Greenville, SC 29601.



Stephen T. Anderson (SC Bar #101085)
Clarkson, Walsh & Coulter, P.A.
P.O. Box 6728
Greenville, SC 29606
(864) 232-4400
Attorneys for Appellant

Greenville, SC
July 10, 2019

THE STATE OF SOUTH CAROLINA
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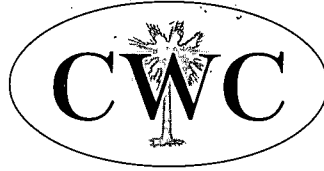
SC Court of Appeals

**PROOF OF SERVICE OF APPELLANT'S MOTION TO ALLOW LATE
FILING FOR APPELLANT'S RETURN TO RESPONDENT'S MOTION TO
DISMISS AND APPELLANT'S RETURN TO RESPONDENT'S MOTION
TO DISMISS**

I certify that I have served the Appellant's Motion to Allow Late Filing for Appellant's Return to Respondent's Motion to Dismiss and Appellant's Return to Respondent's Motion to Dismiss on Respondent by depositing a copy of it in the United States Mail, postage prepaid, on October 24, 2019, addressed to her attorneys of record, Samuel Briggs and Richard Patton, 819 E. North Street, Greenville, SC 29601 and via electronic mail on October 23, 2019.


Stephen T. Anderson (SC Bar #101085)
Clarkson, Walsh & Coulter, P.A.
P.O. Box 6728
Greenville, SC 29606
(864) 232-4400
Attorneys for Appellant

Greenville, SC
October 23, 2019



CLARKSON | WALSH | COULTER

^{Attorneys at Law}
Stephen T. Anderson

sanderson@clarksonwalsh.com

(864)232-4400

October 23, 2019

The Honorable Jenny Abbott Kitchings
Clerk of Court for the South Carolina Court of Appeals
Post Office Box 11629
Columbia, South Carolina 29211

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SC Court of Appeals

Re: Tammy Jordan v. Resurgent Capital Services
SC Court of Appeals Case # 2019-001190

Dear Ms. Kitchings:

Enclosed herewith, please find an original and corresponding copies of the Appellant's Motion to Allow Late Filing for Appellant's Return to Respondent's Motion to Dismiss and Appellant's Return to Respondent's Motion to Dismiss on Respondent in the above-referenced case, and check for \$50.00 filing fee. Please file the originals in your office and return the filed copies to me in the self-addressed stamped envelope provided for your convenience.

Should you have any questions or require further information, please do not hesitate to contact me.

Very truly yours,

Clarkson, Walsh & Coulter, P.A.

Stephen T. Anderson

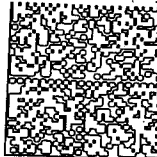
/tdb

Enclosures

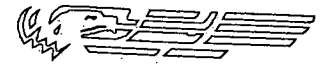
cc: Richard Patton, Esq. (w/enclosures)
Samuel Briggs, Esq.

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CLARKSON | WALSH | COULTER
Attorneys at Law

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SC Court of Appeals

The Honorable Jenny Abbott Kitchings
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