



# The South Carolina Court of Appeals

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January 21, 2020

The Honorable Amy Bracy  
Worker's Compensation Commission  
Post Office Box 1715  
Columbia SC 29202

## REMITTITUR

Re: Stella Richardson v. Yuasa Exide, Inc.  
Lower Court Case No. 9832206  
Appellate Case No. 2017-001804

Dear Clerk of Court:

The above referenced matter is hereby remitted to the lower court or tribunal. A copy of the judgment of this Court is enclosed.

Very truly yours,

*V. Claire Allen, Deputy*

CLERK

Enclosure

cc: Stella Richardson  
Robert Pruitt Gruber, Esquire  
Stephen Lynwood Brown, Esquire  
Catherine Holland Chase, Esquire

**THIS OPINION HAS NO PRECEDENTIAL VALUE. IT SHOULD NOT BE  
CITED OR RELIED ON AS PRECEDENT IN ANY PROCEEDING  
EXCEPT AS PROVIDED BY RULE 268(d)(2), SCACR.**

**THE STATE OF SOUTH CAROLINA  
In The Court of Appeals**

Stella Mae Richardson, Appellant,

v.

Yuasa Exide, Inc., Employer, and Great American  
Insurance Company of NY, Carrier, Defendants,

Of which Yuasa Exide, Inc., Employer, is the  
Respondent.

Appellate Case No. 2017-001804

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Appeal From the Workers' Compensation Commission

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Unpublished Opinion No. 2019-UP-407  
Submitted November 1, 2019 – Filed December 31, 2019

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**DISMISSED**

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Stella Mae Richardson, of Dalzell, pro se.

Robert Pruitt Gruber, Stephen Lynwood Brown, and  
Catherine Holland Chase, all of Young Clement Rivers  
of Charleston, for Respondent.

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**PER CURIAM:** Stella Mae Richardson appeals the decision of the Workers' Compensation Commission (the Commission) denying her petition to reopen her case.

Appeals from the Commission for injuries occurring prior to July 1, 2007 are proper before the court of common pleas of the county in which the injury occurred. S.C. Code Ann. § 42-17-60 (Supp. 2006); *see also Pee Dee Reg. Transp. v. S.C. Second Injury Fund*, 375 S.C. 60, 62, 650 S.E.2d 464, 465 (2007) (holding the amended appellate procedure of Section 42-17-60 of the South Carolina Code (2007), requiring appeals from the Commission be made to the South Carolina Court of Appeals, applies to injuries sustained on or after the effective date of the amended statute, July 1, 2007). Here, Richardson alleged injuries based on her excessive exposure to lead while working at Respondent's plant in Sumter. The record indicates Richardson did not return to Respondent's plant after November 10, 1997. Because the alleged injury occurred prior to July 1, 2007, Richardson's appeal should have been filed in the court of common pleas. *See* S.C. Code Ann. § 42-17-60 (Supp. 2006). Because this court lacks appellate jurisdiction, this appeal is dismissed.

**APPEAL DISMISSED.<sup>1</sup>**

**SHORT, THOMAS, and GEATHERS, JJ., concur.**

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<sup>1</sup> We decide this case without oral argument pursuant to Rule 215, SCACR.