

THE STATE OF SOUTH CAROLINA  
In The Supreme Court

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MAR 03 2020

APPEAL FROM SPARTANBURG COUNTY  
Court of Common Pleas

S.C. SUPREME COURT

J. Mark Hayes, II, Circuit Court Judge

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Appellate Case No. 2019-001382  
Case No. 2017-CP-42-03726

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Raquel Martinez, Employee, ..... Respondent,

v.

Spartanburg County, Employer,  
and South Carolina Association of Counties

Self-Insurance Fund, Carrier, ..... Appellants.

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**MOTION TO ACCEPT  
OVERLENGTH BRIEF**

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In accordance with Rule 240, SCACR, and Rule 208(b)(5), SCARC, Appellants Spartanburg County and South Carolina Association of Counties Self-Insurance Fund hereby respectfully ask permission to file a 65-page brief, which is 15 pages over the brief allowed by Rule 208(b)(5).

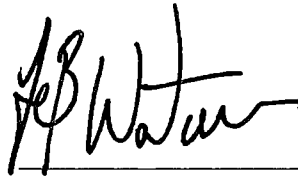
1. This matter involves a workers' compensation claim from an incident that occurred on April 4, 2005, nearly fifteen (15) years ago. Since the Single Commissioner issued his Decision & Order in 2006, the case has gone up and down the appellate chain. The SCWCC Appellate Panel has issued three (3) separate Decision & Orders, and the case has been appealed to the Circuit Court on three (3) separate occasions and to the Court of Appeals on three (3) occasions. In

addition, this Court previously granted a writ of certiorari and heard arguments in this matter in 2013. *See* Martinez v. Spartanburg County, 406 S.C. 532, 753 S.E.2d 436 (2014).

2. In addition to the arguments regarding compensability of Martinez's alleged injury, Appellants' have also raised multiple constitutional issues surrounding this Court's previous decision in Bone v. U.S. Food Service, 404 S.C. 67, 744 S.E.2d 552 (2013), and Appellants have briefed these issues in detail.

3. Given the lengthy procedural history of this claim, the number of Orders involved on this appeal, and the constitutional issues raised in the Brief, Appellants respectfully request this Court grant Appellants' Motion to Accept Overlength Brief. That brief is filed concurrently with this motion.

Respectfully submitted,



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Attorney for Appellants

Date: February 28, 2020

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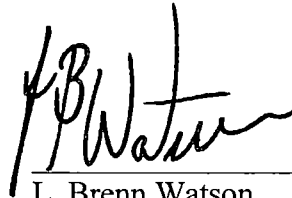
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Spartanburg County Sheriff's Office, Employer  
and South Carolina Association of Counties Self  
Insurance Fund, Carrier, ..... Appellants.

**PROOF OF SERVICE**

I certify that I have served the Appellants' Motion to Accept Overlength Brief on Respondent Raquel Martinez by depositing a copy of it in the United State Mail, postage prepaid, on February 28, 2020, addressed to her attorneys of record, Chadwick D. Pye, Esquire, Chadwick D. Pye, LLC, P.O. Box 6346, Spartanburg, South Carolina 29304 and J. Kevin Holmes, Esquire & David T. Pearlman, Esquire, The Steinberg Law Firm, P.O. Box 9, Charleston, South Carolina 29402-0009.

February 28, 2020



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