

THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

APPEAL From SOUTH CAROLINA WORKERS'
COMPENSATION COMMISSION

RECEIVED

Appellate Panel of the full Commission APR 03 2020

WCC Number: 1709864
Appellate Case No: 2019-000460

SC Court of Appeals

Sarah Jefferies

v.

Appellant,

Milliken And Company

and

Employer,

Liberty Insurance Corporation

Carrier / Respondents,

APPELLANT DESIGNATION OF MATTER TO BE INCLUDED
IN THE RECORD ON APPEAL

1. Decision and order of Appellate Panel of the Workers' Compensation Commission (here in after Appellate Panel) date March 1, 2019
2. Decision and order of the Single Commissioner, dated April 26, 2018.
3. order postponing Single
4. order postponing Single Commission hearing (dated December 5, 2017, served December 6, 2017.
5. Administrative order Dismissing Claimant's Request for Commission Review, dated June 4, 2018
6. order granting motion to Reinstate Appeal, dated June 16, 2018
7. Hearing Transcript Before the Appellate Panel, dated December 18, 2018
8. Hearing Transcript Before the Single Commission (including exhibits) dated March 2, 2018

9. Amended Brief of Defendants/Respondents to Appellate Panel dated November 28, 2018 (including letter serving same).
10. Brief of Defendants/Respondents to the Appellate Panel, dated September 13, 2018 (including letter serving same).
11. Claimant's Motion to Reinstate (dated June 8 and 14, 2018, served June 20, 2018)
12. Defendant Response to Motion to Reinstate, dated June 28, 2018
13. Form 59 (dated August 24, 2018, served August 31, 2018).
14. Form 30 (dated June 24, 2018 / served August 14, 2018).
15. Form 30 (dated uncertain, received by Commission on June 4, 2018).
16. Defendant Submissions pursuant to Administrative Procedures Act, dated February 16, 2018, page 1-128
17. Defendants pre hearing Brief (form 58) October 25, 2017.
18. Form 50 (dated July 17, 2017, served July 31, 2017).
19. Form 51, dated August 29, 2017.
20. Letter from Defendants Counsel serving proposed Decision and order of Appellate Panel, dated February 22, 2019.
21. Letter from Defendants Counsel proposed order postponing Appellate Panel hearing, dated October 26, 2018.
22. Letter from Defendant Counsel serving Decision and order postponing Appellate Panel hearing, dated October 26, 2018.
23. Letter from Defendants Counsel to Appellant serving proposed Decision and order of Single Commissioner, dated April 13, 2018
24. Letter from Defendants Counsel to Commission enclosing proposed Decision and order of the Single Commissioner dated April 13, 2018.
25. Letter from Defendant Counsel dated April 19, 2018 regarding Claimant's concerns with proposed Decision and Order.

I certify that this designation contain no matter which is irrelevant to this appeal.

Sarah Jetties
 Sarah Jetties
 Appellant
 P.O. Box 161606
 Boiling Spring SC 29316

March 20, 20.

STATEMENT OF THE ISSUES ON APPEAL

- I. Did the Appellate Panel of South Carolina Workers Compensation Commission Have Jurisdiction to hear Appellant Appeal of the Single Commissioner's order?
- II. Does the Record on Appeal contain substantial Evidence Requiring Affirmance of the Appealed order?
- III. Did the Appellant Prove Proximate Cause?

STATEMENT OF THE CASE

Appellant is not represented. On July 19, 2017 the Appellant filed a form 50, Request for hearing. Appellant sustained injury to her left hip and left leg and Pelvis as a result of pushing Backs of yarn and bag of waste at Millike & Company on June 22, 2017.

May 29, 2018 The South Carolina Workers Compensation Commission received notice from Liberty Insurance Corporation denies workers Compensation benefits.

Immediately Prior to single Commissioner hearing. Appellant was informed of her right to attorney and the hearing was postponed to be reset before the next Jurisdictional Commissioner. Appellant did not retain an attorney.

A hearing was held before Commissioner Avery B. Wilkerson JR, (hereinafter) single Commissioner) March 2, 2018 to determine the issues outlined in the parties form 50 and At the hearing it was Appellant that she injury to her left hip and left leg and Pelvis on June 22 2017.

As Pushing Rack of yarn and bag of waste at Milliken
and Company. June 22, 2017 At time my DR. Rollins
had sent Liberty Insurance Corporation they Refuse
to pay for the Surgery. My family Doctor Ruffing
Sent medicare paper to Court and they filed and told
Commissioner I were hurt on that Job at Milliken
Company. On April 26, 2018 the Commission mailed
the Decision and order to the Appellant. Appellant on
April 26, 2018 never receive the Decision and order.
Appellant Recieve a form 30 on 6/1/18 for motion to
Reinstate. On June 20, 2018 Appellant recieve a form
32 submitted requesting to waive fee was approved.
Appellant filed a form 59 Informal Brief with this Commission
on August 24, 2018, on August 31, 2018 the Commission served a
Copy of the Appellant form 59 on the Respondent, And that
Correspondence was received by the Respondents on September
4, 2018. Appellant form 59 they removed the Commissioner
Avery B. Wilkerson JR, Removed from case they said
Commissioner want Be handler that case they said
Filing date for Appellant Brief September 16, 2018 The claim
was set for hearing on October 23, 2018 before the Appellate
Panel of the South Carolina Workers Compensation Commission
(hereinafter Appellate Panel) At that time the Appellate Panel
Allowed the Appellant a second opportunity to obtain an
attorney. and the appeal hearing was postponed for that
purpose. The Appeal hearing was reset for December 18, 2018
Appellant appeared without a attorney, and the appeal

went forward, on March 12, 2019 Appellant filed a Notice of Appeal to this Court. On March 22, 2019 this Court issued a letter concerning the deficiencies in the Appellant Notice of Appeal on March 30, 2019 Appellant mailed a handwritten Notice of Appeal. Attempting to remedy the defect noted in the March 22, 2019 Correspondence from this Court. On April 10, 2019 this Court issued additional Correspondence to Appellant asserting the appeal contained continuing deficiencies, and the appeal will be dismissed unless the Appellant remedied the deficiency. On May 6, 2019 this Court issued an ^{Order} dismissing the Appellant Appeal for failure to remedy the deficiencies noted in it Previous Correspondence to Appellant appeal contained continuing deficiencies and the appeal will be dismissing the Appellant appeal for noted in it Previous Correspondence. Appellant filed a motion to reinstate on July 19, 2019 this Court Issued an order to reinstate the appeal. On August 26, 2019 Appellant filed an Initial Brief and Proof of Service on September 11, 2019 this Court Issued a letter noting deficiencies in the Appellant Initial Brief and requesting remedy of those deficiencies within 10 days. On October 22, 2019 this Court Issued a letter noting deficiencies in Appellant Designation of Matter Proof of Service requesting remedy of those deficiencies within 10 days.

ARGUMENT

On June 22, 2017, I Sarah Jefferies was working on a job that my supervisor asked me to run due to short of help in my department. While doing this job, this job consist of pushing a rack of yarn weighing @ around 100 pounds. While pushing this rack of yarn, it cause me to pull a socket out of my left hip. I followed the proper procedures by informing and reporting to my supervisor (Steven Logan) of my injury. He reported the injury to his supervisor (Michael Williams). Mr. Williams called the nurse (Ashley N Atchley) who was not @ the plant that day. Because of the absence of the nurse, I didn't get to follow up with her until the following Monday June 26, 2017. When I returned back to work on Monday and was able to see nurse (Ashley N Atchley), I had pain in both legs in pelvic area. I discussed my injury and pain with the nurse (Ashley) whom never wrote a statement on my injury. Neither did my supervisor (Steven) or (Mr. Michael Williams). My conversation with nurse Ashley was basically discussing where my pain and how I was injured. (Pain in Pelvic area) page 51-53.

↙
The plant had shut down for the week of July 4, 2017. After a week off my legs, relaxing them at home and not away on vacation (pg. 24 trying to change my word around). I returned back to work after shut down, still trying to perform my job as directed and instructed. My legs still bothered me so bad that Steven and Mr. Williams put a co-worker with me to help me with my job. I hopped and still did my best working with tears in my eyes full of pain, until Mr. Williams came to me and suggested I go home. Because I was in so much pain that was August 23, 2017. The next day August 24, 2017 I called in to report off work because of pain and (Mr. Steven Logan) asked me to come in and see the nurse want see me (Sarah). In which @ that time, is when nurse (Ashley N Atahley) put me on light duty and request for me to get a walking cane stick to help with my walk and allow me to sit down on the job. I did that every day until I couldn't endure the pain no longer. I never had any previous hip problem in the past. I have all my medical records (primary family doctor) to show proof of statements.

on March 2, 2018, I turned In Statements Proof of Medical Records that was NOT Acknowledged on transcript But was started in Court And I have them Attached.

In 2014, I was NOT Employed by Milliken and Company and that incident in questioning took place when I was Employed by Springfield (see page 51-51) That was concerning my right Leg, which was also injury from pushing a rack of yarn Because they don't never clean the wheel off Rack hard to push.

I have been Employed @ that Plant facility for 10 years During the 10 year of Service, I have been a big access to the Company. When they were short of help, I have step in as great team works by working plenty of overtime, switching shifts and agreeing to come in over in the early morning hours to keep machines running.

Therefore if suffered from previous hip or any other serious injuries I don't think I would have been able to put in so much effort to help carry out as many duties that I have.

STANDARD OF REVIEW

on June 22, 2017 got hurt at Milliken And Company. They never write a report on accident. I seen nurse on August 24, 2017. I had when to therapy that day on August 23, 2017 Steven Logan I called in I wasn't going to come to work (Steven Logan) told me the nurse wanted to see me at nine o'clock that morning on August 24, 2017, I came to work I was little late I went out there I talk to Ashley she asked me what was wrong with me I told her it was my hip and I told her I had been to doctor and the said he was going to Recommend Surgery. Milliken and Company put me on Light duty on August 24, 2017 I walk in and out everyday with A cane stick And so much pain everyday until I Couldn't walk anymore Sept 20, 17

Sarah Jefferies
Sarah Jefferies
Appellant
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MARCH 20, 2020

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FROM: Sarah Jefferies
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APR 03 2020

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26, March 2016

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