

Edmond Dillon,)
)
 Claimant)
)
 v.)
)
 Fleetpride,)
)
 Employer, and)
)
 American Zurich Ins. Co.,)
)
 Carrier, Defendants.)
 _____)

ADMINISTRATIVE ORDER

WCC FILE NO.: 1501382

RECEIVED

Apr 27 2020

SC Court of Appeals

On March 23rd, 2020 the South Carolina Court of Appeals issued an order dismissing the appeal in this matter on the grounds that the parties had entered into a settlement agreement. On March 25th, 2020, the Court of Appeals issued a remittitur returning jurisdiction of this matter to the Workers' Compensation Commission to address the remaining issues required to perfect the filing of the settlement agreement.

Claimant in this matter is deceased. S.C. Code §§ 42-9-280 and 42-9-290 govern to whom benefits shall be paid in the event of an employee's death. Therefore, the Commission must hold a hearing to determine to whom benefits are payable.

S.C. Code Ann. Regs. Chapter 67, Article 9, governs the procedure in claims involving a fatality. Pursuant to Reg. 67-902, the employer's representative must make a good faith effort to discover decedent's beneficiaries. Upon receipt of a good-faith dependency investigation, the Commission shall set this matter for a Hearing to determine to whom benefits are payable. Following this determination, the parties shall perfect the settlement agreement in accordance with § 42-9-390 and Reg. 67-803.

AND SO IT IS ORDERED!



T. Scott Beck, Commissioner

For the Full Commission

April 27, 2020

DATE

Order served via E-mail:

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Cynthia C. Dooley, Esquire Turner Padget Graham & Laney, PA cdooley@turnerpadget.com	Jenny Abbott Kitchings, Clerk of Court South Carolina Court of Appeals jkitchings@sccourts.org

CERTIFICATE OF SERVICE

This is to certify that the undersigned has on this date served a copy of this order in the above entitled action upon all parties to this case by sending an electronic copy hereof by electronic mail addressed to the attorneys for said parties; or if there is an unrepresented party(ies), by depositing a copy hereof, postage paid in the United States mail, first class, addressed to the unrepresented party(ies) and to the attorney(s) for the represented party(ies).

By Shawnee DeBruhl on April 27, 2020