

THE STATE OF SOUTH CAROLINA  
In The Court Of Appeals

APPEAL FROM THE SOUTH CAROLINA  
WORKERS COMPENSATION COMMISSION  
★VOLUNTARY REMANDED ★  
BY THE APPELLATE PANEL

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JUL 22 2020  
SC Court of Appeals

W.C.C. File Nos. 1322451, 1319203, 1420487  
Appellate Case No.: 2018-000369 associated with 2018-001364

PROOF OF SERVICE

Terry H Capone, Claimant,

Appellant,

v.

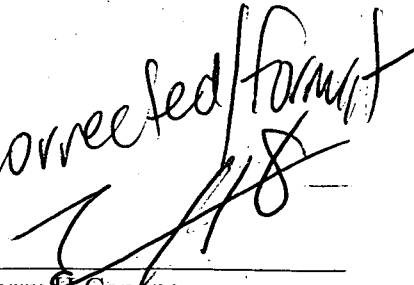
City of Columbia, Employer, and  
Companion Third Party Administrator, LLC, Carrier, ..... Respondents.

Terry H Capone, of Richland County, Pro Se Appellant.

I certify this 20<sup>th</sup> day of July 2020, that I have served a copy of the attached that was also previously emailed July 6, 2020 to defendants Attorney Requesting the Extension recently requested be pushed back to August 31 2020 by depositing a copy of the same in the United States Mail, postage prepaid or better or personal delivery on July 20, 2020 to the following addressed to the Defendant Legal Representative known to be:

Cynthia C. Dooley, Esquire  
Carmelo Barone Sammataro, Esquire Attorneys for Respondents  
TURNER PADGET GRAHAM & LANEY P.A.  
P.O. Box 1473  
Columbia, SC 29202

July 20, 2020

*Corrected format*  


By: \_\_\_\_\_  
Mr. Terry H Capone  
130 Summerlea Drive  
Columbia, SC 29203  
(803) 622-6578  
Email: tcapone@liberty.edu  
APPELLANT, PRO PER

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**SC Court of Appeals**

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that he served the forgoing court copy referenced "Terry Capone v. City of Columbia SC Court of Appeals Appellant Case. No. 2019-000369

July 18, 2020 Appellant

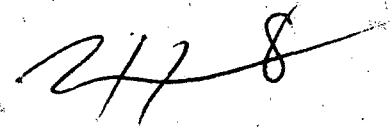
- Please see attached that was also previously emailed July 6, 2020 to defendants Attorney
- Requesting the Extension be pushed back to August 31 2020 by depositing a copy of the same in the United States Mail, postage prepaid or better or personal delivery on July 18, 2020 to the following addressed to the Defendant Legal Representative known to be:

Cythia C Dooley

P.O.Box 1473

Columbia, SC 29202

This 18<sup>th</sup> day of July 2020.



---

Mr. Terry H Capone  
Fire Battalion Chief-Retired  
130 Summerlea Drive  
Columbia, SC 29203  
803.622.6578  
Email: tcapone@liberty.edu

Columbia, South Carolina



# The South Carolina Court of Appeals

JENNY ABBOTT KITCHINGS  
CLERK

V. CLAIRE ALLEN  
CHIEF DEPUTY CLERK

POST OFFICE BOX 11629  
COLUMBIA, SOUTH CAROLINA 29211  
1220 SENATE STREET  
COLUMBIA, SOUTH CAROLINA 29201  
TELEPHONE: (803) 734-1890  
FAX: (803) 734-1839  
www.sccourts.org

July 17, 2020

Terry Capone  
130 Summerlea Drive  
Columbia SC 29203

Re: Terry Capone v. City of Columbia (2)  
Appellate Case No. 2019-000369

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**SC Court of Appeals**

Dear Counsel:

Upon reviewing your motion for extension of time to serve and file the record on appeal, the following deficiency has been noted under the South Carolina Appellate Court Rules (SCACR), and any deficiency must be corrected within ten (10) days of the date of this letter or your motion will not be considered by this Court:

- A proof of service has not been provided. You must serve and file a proof of service substantially in the format shown by Form 7 in Appendix C to part II of the SCACR.

Very truly yours,

*V. Claire Allen*

CLERK

cc: Cynthia C. Dooley, Esquire  
Carmelo Barone Sammataro, Esquire



RETIRE

July 6, 2020 5:09PM

VIA EMAIL COVID- 19 PROTOCOLS

The Honorable Jenny Abbott Kitchings, Clerk  
South Carolina Court of Appeals  
1220 Senate Street  
Columbia, SC 29201

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JUL 22 2020

SC Court of Appeals

Re: Response to SC COA Decision Received July 3, 2020 Terry Capone, Appellant, v. City of Columbia, Employer, and Companion Third Party Administrator, LLC, Carrier, Respondent Case No. 2019-000369

The Honorable Jenny Abbott Kitching, Clerk:

Please be advised that I filed and paid for an Motion for Extension on or about April 21, 2020, and did not receive a reply until July 3, 2020 (2 month and 12 days), as a preliminary matter I needed the extension until August 31, 2020, which is less than the time it took your agency to reply and I provided medical documentation, on the additional issues I have been dealing with and the Court is aware that I am not a lawyer and under disability.

This is advance notice of my forth coming Appellant's Motion To Complete or Supplement The Administrative Record and Consider Extra-Record Evidence Due To Fraud Upon the Court based on the APA. I will also file a Motion to Stay the proceedings until the ruling of the motion affecting substantial rights.

I am not an attorney. Thank you for your assistance with this matter, please contact me if you have any questions. Thank you for your consideration.

With Regards,

Enclosure: NONE

Mr. Terry H. Capone  
Fire Battalion Chief-Retired  
130 Summerlea Drive  
Columbia, SC 29203  
(803) 622-6578  
Email: [tcapone@liberty.edu](mailto:tcapone@liberty.edu)

**Re: TCAPONE 2019-000369 Requesting the Extension be pushed back to August 31 2020**

Capone, Terry <tcapone@liberty.edu>

Mon 7/6/2020 5:24 PM

To: Court Of Appeals Filings <ctappfilings@sccourts.org>; Dooley, Cindy C. <CDooley@TurnerPadget.com>

📎 1 attachments (266 KB)

TCAPONE SC COA JULY 06 2020 2019-000369 EXT REQUESTED UNTIL AUG 31, 2020 CV.pdf

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**Jul 20 2020**

Greetings SC COA ,

**SC Court of Appeals**

Please be advised and see the attached, request to push the extension to August 31, 2020, as July 31, 2020 date received July 3, 2020 is not enough time for me to reply appropriately to the orders/decisions and prepare my submittal, due to the reasons stated, and medical documentation provided to the Court, in addition and the court is aware that I am under disability and not a lawyer. Please see attached letter as my official reply. Attorney for defendant Mrs. Dooley is notified by this email.

Sent from Terry H Capone's Verizon 4G LTE smartphone

PSALM 35 -The Lord the Avenger of His people

A Psalm of David. Plead my cause, O Lord, with those who strive with me;

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**Relayed: Re: TCAPONE 2019-000369 Requesting the Extension be pushed back to August 31 2020**

Microsoft Outlook

<MicrosoftExchange329e71ec88ae4615bbc36ab6ce41109e@libertyuniv.onmicrosoft.com>

Mon 7/6/2020 5:24 PM

To: Dooley, Cindy C. <CDooley@TurnerPadget.com>

 1 attachments (35 KB)

Re: TCAPONE 2019-000369 Requesting the Extension be pushed back to August 31 2020;

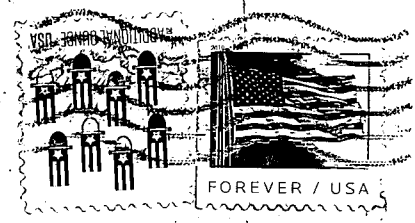
**Delivery to these recipients or groups is complete, but no delivery notification was sent by the destination server:**

Dooley, Cindy C. (CDooley@TurnerPadget.com)

Subject: Re: TCAPONE 2019-000369 Requesting the Extension be pushed back to August 31 2020

Mr. Tom H. Capone  
130 Summerline Drive  
Columbia SC 29203

COLUMBIA SC 29203  
JUL 22 2020 11:41



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JUL 22 2020

SC Court of Appeals

To South Carolina Court of Appeals  
Janey A. Kitchin's Clerk  
P. O. Box 11629  
Columbia SC 29211

29211629

