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Sep 17 2020

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM RICHLAND COUNTY
South Carolina Workers' Compensation Commission

R. Michael Campbell, II, Commissioner; T. Scott Beck, Commissioner; Gene McCaskill,
Commission Chair

W.C.C. File No.: 1708722
Appellate Case No.: 2020-000718

Timothy Clayton, Claimant, Appellant,

v.

South Carolina Department of Transportation, Employer; and SC State Accident Fund,
Carrier, Respondents.

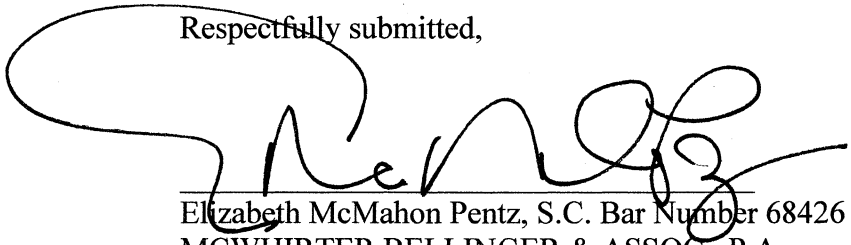
**APPELLANT'S DESIGNATION OF MATTER TO BE
INCLUDED IN THE RECORD ON APPEAL**

Appellant, Timothy Clayton, designates the following matter for inclusion into the
RECORD ON APPEAL:

1. February 19, 2019, Appellant's Pre-trial Brief and Administrative Procedures Act submissions;
2. February 22, 2019, Respondents' Pre-trial Brief and Administrative Procedures Act submissions;
3. March 6, 2019, Transcript before the Single Commissioner;
4. May 14, 2019, Single Commissioner Order;
5. May 28, 2019, Respondents' S.C. Workers Compensation Commission Form 30 Request for Commission Review;
6. August 19, 2019, Administrative Panel Full Commission Hearing transcript; and
7. March 23, 2020, Administrative Panel Full Commission Order.

[SIGNATURE PAGE FOLLOWS]

Respectfully submitted,



Elizabeth McMahon Pentz, S.C. Bar Number 68426
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Attorney for Appellant, Timothy Clayton

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

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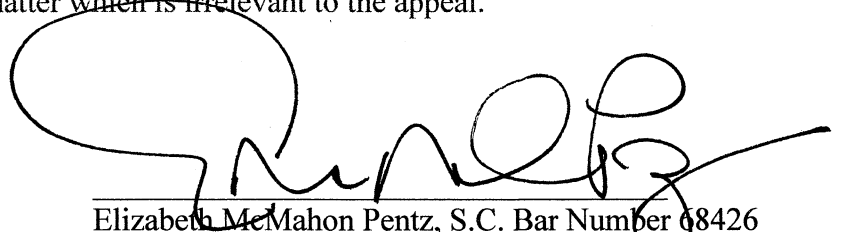
Timothy Clayton, Employee, Claimant, Appellant,

v.

South Carolina Department of Transportation, Employer; and SC State Accident Fund,
Carrier, Respondents.

CERTIFICATE OF COUNSEL

The undersigned Counsel for the Appellant certifies that the September 18, 2020,
Designation of Matter contains no matter which is irrelevant to the appeal.



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Attorney for Appellant, Timothy Clayton

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PROOF OF SERVICE

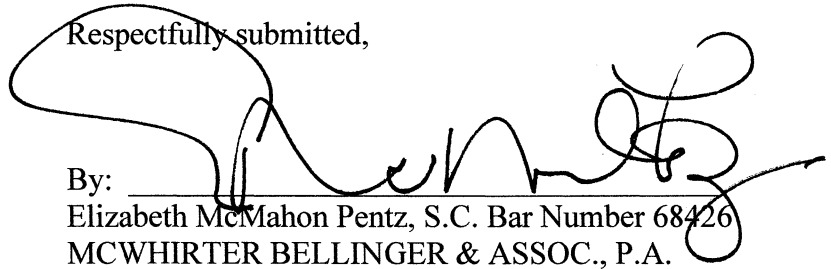
Counsel for the **Appellant** certifies that she served the **Appellant's Amended Initial Brief and Designation of Matter to be included in the Record on Appeal** on the Respondents, South Carolina Department of Transportation, Employer; and SC State Accident Fund, Carrier, by depositing a copy of the same into the United States Postal Service with proper postage affixed on August 31, 2020, and addressed as follows:

Erin F. Farthing
Deputy Chief Counsel
South Carolina State Accident Fund
PO Box 102100
800 Dutch Square Boulevard, St. 160
Columbia, South Carolina 29221-5000
Attorney for Respondents

S.C. Workers' Compensation Commission
PO Box 1715
1333 Main Street, Suite 500
Columbia, South Carolina 29202-1715
Administrative Tribunal

[SIGNATURE PAGE FOLLOWS]

Respectfully submitted,



By: _____

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Attorney for Appellant, Timothy Clayton

**PROOF OF SERVICE APPELLANT'S
AMENDED INITIAL BRIEF AND
DESIGNATION OF MATTER TO BE
INCLUDED IN THE RECORD ON APPEAL**

Lexington, South Carolina
September 17, 2020

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CHRISTOPHER M. CUNNINGHAM
EMMA B. TAYLOR
ANGELA J. JOHNSON

September 17, 2020

VIA UNITED STATES POSTAL SERVICE:

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

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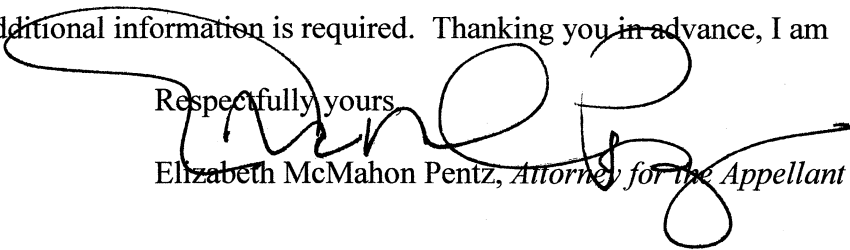
RE: Timothy Clayton, Employee, Appellant v. South Carolina Department of Transportation, Employer; and S.C. State Accident Fund, Carrier, Respondents.
APPELLATE CASE NO.: 2020-000718
SCWCC FILE NO.: 1708722

Dear Ms. Kitchings:

Please find enclosed for filing the original and one (1) copy of the **Appellant's Amended Initial Brief and Designation of Matter** which we are filing on behalf of the Appellant, Timothy Clayton. Also enclosed is a **Certificate of Counsel (Designation of Matter)** and **Proof of Service** on counsel and administrative tribunal. This submission intends to satisfy the Court's direction by correspondence date September 8, 2020. I apologize for any inconvenience. Please return the additional three (3) filed copies to via enclosed envelope.

Please advise if additional information is required. Thanking you in advance, I am

Respectfully yours,


Elizabeth McMahon Pentz, *Attorney for the Appellant*

Enclosures

Cc: Erin F. Farthing
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