

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

RECEIVED

SEP 21 2020

Timothy Clayton, Claimant, Appellant,

SC Court of Appeals

v.

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

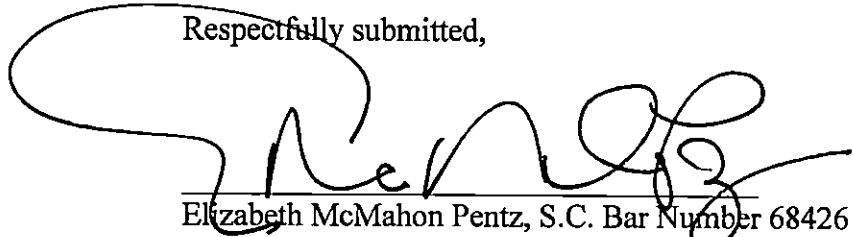
**APPELLANT'S DESIGNATION OF MATTER TO BE
INCLUDED IN THE RECORD ON APPEAL**

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,

A handwritten signature in black ink, appearing to read 'Elizabeth McMahon Pentz', written over a horizontal line.

Elizabeth McMahon Pentz, S.C. Bar Number 68426
MCWHIRTER BELLINGER & ASSOC., P.A.

119 East Main Street

Lexington, South Carolina 29072

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liz@mcwhirterlaw.com

Attorney for Appellant, Timothy Clayton

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

Lexington, South Carolina
September 17, 2020

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM RICHLAND COUNTY
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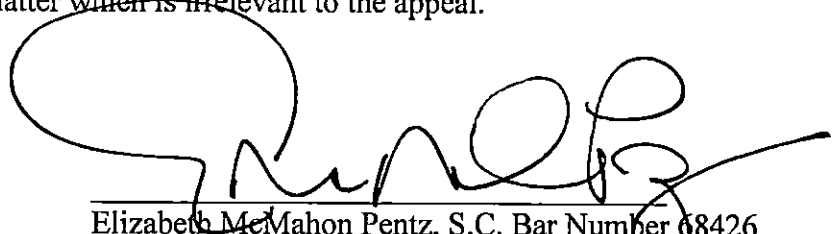
Timothy Clayton, Employee, Claimant, Appellant,

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.



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

Lexington, South Carolina
September 17, 2020

THE STATE OF SOUTH CAROLINA
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APPEAL FROM RICHLAND COUNTY
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Timothy Clayton, Employee, Claimant, Appellant,

SC Court of Appeals

v.

South Carolina Department of Transportation, Employer; and SC State Accident Fund,
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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: 

Elizabeth McMahon Pentz, S.C. Bar Number 68426
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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

LAW OFFICES
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JOHN P. MEADORS
AMANDA N. PITTMAN
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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SC Court of Appeals

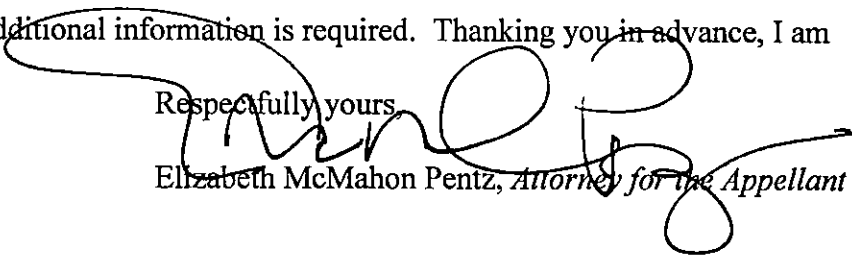
RE: Timothy Clayton, Employee, Appellant v. South Carolina Department of Transportation, Employer; and S.C. State Accident Fund, Carrier, Respondents.
APPELLATE CASE NO.: 2020-000718
SCWCC FILE NO.: 1708722

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
Deputy Chief Counsel
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McWHIRTER, BELLENGER & ASSOCIATES, P.A.
Attorneys at Law

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To:

The Honorable Jenny Abbott Kitchings
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1220 Senate Street
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